

Chapter 10-30: General to All

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Division 10-30.10: Purpose

Sections:

10-30.10.010 Purpose

10-30.10.010 Purpose

This Chapter provides standards and regulations for the following purposes: to encourage the creation and preservation of affordable housing; to provide for the protection and enhancement of historic and cultural resources; to establish minimum requirements and responsibilities for the installation of public improvements; to promote sustainable development practices; to encourage desirable site design; and to provide guidelines for the development of traditional neighborhoods through the application of transect zones. These aspects are all essential to the development of a healthy, sustainable and desirable city environment. The interests of the community and the goals of the General Plan and Zoning Code are further ensured through the application of this Chapter.

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Division 10-30.20: Affordable Housing Incentives

Sections:

- 10-30.20.010 Purpose
- 10-30.20.020 Applicability
- 10-30.20.030 Administration
- 10-30.20.040 Affordable Housing Incentives
- 10-30.20.050 Density Bonus
- 10-30.20.060 Appeals

10-30.20.010 Purpose

This Division implements the City's Incentive Policy for Affordable Housing (IPAH), which is intended to foster the preservation and production of permanently affordable housing units. The Division encourages the preservation and production of affordable units by providing increased residential densities and other developer incentives for developments that guarantee that at least a portion of the housing will be affordable. The intent is to narrow the housing deficit for households that cannot afford market-priced rental or for-sale housing. In conjunction with market dynamics, the Council shall set policies on the area median income the City will serve. This information will be updated in the IPAH document. Affordable housing must meet applicable regulations of the federal government, Arizona Revised Statutes, and all other appropriate regulating entities.

10-30.20.020 Applicability

In order to be eligible for the incentives provided by this Division, a proposed development shall comply with the following requirements and satisfy all other provisions of this Zoning Code:

A. Location

Affordable housing shall be allowed where residential uses are allowed in the City.

B. Housing Section Proposals

The Housing Section will be provided the opportunity to propose development and/or redevelopment as affordable housing for City-owned surplus property, where the Council deems appropriate, except for land with a current and adopted Master Plan.

C. Minimum Percentage

A minimum of 10 percent of the total number of proposed units must be affordable housing, as defined in Section 10-30.20.050 (Density Bonus) below.

D. Housing Variety

A variety of housing types, mixed income and affordable housing developments are encouraged throughout the City and within each neighborhood. Mixed-income means that the development includes at least 10 percent affordable housing units that are preserved as permanently affordable.

E. Other Regulations

Affordable housing that must comply with other federal, State, or local preservation time periods and applicable regulations shall also be considered to meet the permanent affordability standards.

F. Grandfather Clause

Opportunities to utilize the IPAH may be available for developments that have not received final plat or site plan approval and that offer a minimum of 10 percent affordable housing. The owner, developer, or applicant, as applicable, is responsible for all modifications to plans and initiating the benefits of the incentives.

G. Housing Preservation

If an applicant is considering permanently preserving housing stock that had an expiring period of affordability, they may take advantage of any incentives that are applicable to their application. The applicant must also meet all other applicable requirements in order to receive IPAH incentives.

H. Site Control

Applicants wishing to exercise the incentives in this Division must have site control of the land.

I. Requirements in Urban Growth Boundaries

Developments providing permanent affordable housing located within the City Urban Growth Boundaries as defined in the General Plan will be eligible for IPAH, so long as the development contains at least one of the following:

1. The proposed development must have a bus route located within one-half mile of the development by the time 80 percent of the development is completed;
2. The development must secure acceptance from the Director for a strategy to provide access to alternative transit. This strategy could include vanpool, park-n-ride, Flagstaff Urban Trails System (FUTS) trail access, or service plans for seniors and persons with disabilities. It could also include direct access to several land uses that service residential customers, such as food sales, banking, general retail and other key services; or,

3. The development must present documentation from Northern Arizona Intergovernmental Public Transportation Authority (NAIPTA) that future service plans will establish a bus route within previously defined distances to the site and funding has been identified for this route.

10-30.20.030 Administration

- A. The City, or an agency designated by the City, shall monitor ongoing affordability of affordable housing units.
 1. The applicant must demonstrate compliance with the approved pricing structure and shall be required to execute an agreement, restrictive covenants, or other binding affordability restrictions that run with the land. These affordability covenants or deed restrictions must be in place as a written agreement that is recorded with the deed of the property and limits transfer of the property to another qualified household. The covenants or deed restriction will apply permanently.
 2. The applicant shall be required to provide tenant income qualification reports to the City for monitoring on an annual or biennial basis.
 3. If an applicant is planning to utilize a third party entity to provide and manage the affordable units, the applicant and the third party must enter into an agreement that clarifies the management, use and oversight of the affordable components. This agreement is in addition to a deed restriction and/or affordability covenant discussed in Subsection A.1 above.
 4. Council will determine the income ranges associated with the four categories for housing affordability provided in Tables 10-30.20.040 A. and B., and this income determination will be updated within the Incentive Policy for Affordable Housing (IPAH) document. Each of the four categories are described below. The current specific income ranges associated with each category are provided in Appendix 6 (Additional Information on Affordable Housing):
 - a. Category 1: This category provides permanent affordability through both rental and ownership opportunities.
 - b. Category 2: This category is reserved for ownership opportunities only.
 - c. Category 3: This category provides incentives for sustainability/ green building provisions within the entire development.
 - d. Category 4: This category allows for short term affordability without any permanent affordability provision.

B. Dispersal of Units and Construction Phasing

The affordable units shall be distributed proportionally throughout the development, appropriately designed and integrated with the market-rate units, and, as feasible, contain the same number of bedrooms as the market-rate units. Thirty percent of affordable units must be delivered in the first phase (where applicable) and the remainder of the units must be delivered proportionally based on the development build-out and phasing.

C. Design Review

Architectural standards and design review apply to multi-family and mixed-use developments. These standards may be referenced in Division 10-50.20 (Architectural Design Standards) and Appendix 1.1 (Design Guidelines).

- D. In limited circumstances where the applicant is unable to construct affordable housing, the City may permit the applicant to use incentives and provide a comparable land or financial donation in order to provide affordable housing in other locations. Opting to put forth a financial contribution must not be an incentive unto itself; it should accurately reflect the cost of land and development for affordable housing.

10-30.20.040 Affordable Housing Incentives

An applicant that meets the terms of this Division may be eligible for certain incentives. Incentives can include reductions in resource protections, density bonuses, reduced parking, and other modified Zoning Code requirements, including, but not limited to, a reduction in setback, square footage or landscaping requirements that result in identifiable, financially sufficient, and actual cost reductions. Specific incentives can be found in Subsection B, below. Additional incentives, such as fee reductions, fee waivers and expedited processing, can also be found in the IPAH.

A. Number of Incentives

Based on the percentage of affordable units and the level of affordability (e.g. category 1 to 4), the City may grant the applicant incentives listed in Subsection B, below. The number of incentives increases as the percentage of affordable units increases as outlined in Table A (Number of Incentives):

Table 10-30.20.040.A: Number of Incentives

Number of Incentives	Category 1¹ Permanent Affordability (% of Affordable Units)	Category 2¹ Permanent Affordability (% of Affordable Units)	Category 3¹ Permanent Affordability a and Sustainable Building – Division 10- 30.70 (% of Affordable Units)	Category 4¹ One-time Affordability (% of Affordable Units)
1	10%	10%	10%	10%
2	11%	12%	12%	
3	12%	14%	14%	
4	13%	16%	16%	
5 or more	14% or more	20% or more	20% or more	

End Notes

¹ The income ranges associated with Categories 1 through 4 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

B. Incentives Defined

For the purposes of this Division, developer incentives for affordable housing development are defined below.

1. Resource Protection Standards

- a. Where forest resources on a site overlap with steep slope resources, the forest resources in the steep slope area may be counted toward the required amount of forest resources for the whole site. (See Division 10-50.90 (Resource Protection Standards)).
- b. In addition, the forest resources that must be retained on site in the Resource Protection Overlay (RPO) Zone may be reduced for affordable housing developments based on the percentage of affordable units provided and the category of affordability. (Forest resource protection requirements are provided in Table 10-50.90.060.A (Forest Resource Protection Thresholds as a Percentage of Site Area) in Division 10-50.90 (Resource Protection Standards)).
 - (1) The potential forest resource reductions for affordable housing are shown in Table B (Reduction in Forest Resource Protection Thresholds for Affordable Housing Developments).
 - (2) For example, an affordable housing development in category 2 that provides 10 percent of the units as affordable could reduce the forest resource protection by 20 percent, so that 40 percent of

the forest must be retained instead of 50 percent (i.e. the 50 percent requirement for forest resource protection (Table 10-50.90.060.A (Forest Resource Protection Thresholds as a Percentage of Site Area)) is reduced by 20 percent).

- (3) For categories 1 and 2, the forest resource reduction could be additive for a development if the percentage of affordable units is met. Category 3 stands alone and cannot be combined with forest resource reductions in other categories. However, the maximum amount that forest resources may be reduced for an affordable housing development is 50 percent.

Table 10-30.20.040.B: Reduction in Forest Resource Protection Thresholds for Affordable Housing Developments

Category 1 ¹ (Permanent Affordability)		Category 2 ¹ (Permanent Affordability)		Category 3 ¹ (Permanent Affordability and Sustainable Building – Division 10-30.70)	
Percentage of Affordable Units	Resource Reductions	Percentage of Affordable Units	Resource Reductions	Percentage of Affordable Units	Resource Reductions
10%	25%	10%	20%	10%	25%
11%	30%	12%	25%	12%	30%
12%	35%	14%	30%	14%	35%
13%	40%	16%	35%	16%	40%
14%	45%	18%	40%	18%	45%
15%	50%	20%	45%	20%	50%

End Notes

¹ The income ranges associated with Categories 1 through 3 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

2. Density Bonus

Affordable housing developments may be eligible for a density bonus if at least 10 percent of the proposed units are affordable in compliance with Section 10-30.20.050 (Density Bonus).

3. Parking Incentives

- a. The number of required parking spaces for affordable housing may be reduced as specified in Table 10-50.80.040.A (Number of Motor Vehicle Parking Spaces Required); and,

- b. Modifications to parking requirements for affordable housing developments within one-quarter mile of a transit stop may be reduced up to 15 percent.

4. Adjustment of Building Form Standards

- a. Affordable housing can utilize Planned Residential Development (Section 10-40.60.250) in any zone to provide flexibility in the application of building form requirements and to increase the potential building types.
- b. Minor modifications to building form standards for affordable housing developments (e.g. setbacks, height, coverage, area, lot size, or other lot requirements) may be modified up to 15 percent.

5. Landscaping Standards Reductions

Minor modifications to landscaping standards for affordable housing developments may be reduced by no more than 10 percent.

(Section 10-30.20.040 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.20.050 Density Bonus

- A. An applicant may be eligible for a density bonus if at least 10 percent of the proposed units are affordable. The density bonus is an increase in residential units over the maximum residential density listed in the building form standards (Chapter 10-40 (Specific to Zones)). The units gained from qualifying for a density bonus can be rented or sold at market rates without affordability covenants or deed restrictions, so long as the proposed percentage of affordable units is satisfied.
- B. The density bonuses apply to non-transect and transect zones.
- C. In determining the number of density bonus units to be granted pursuant to this Section, before the density bonus is added the maximum residential density for the site shall be multiplied by the percentage of density bonus listed in Table A (Percentage of Affordable Units and Corresponding Density Bonus), below, based on the percentage of affordable units provided for each category. All density calculations resulting in fractional units shall be rounded to the next whole number. For example:

For a site that has a maximum density of 100 units and provides 12 units (12 percent) affordable to category 2 households, the density bonus would be 22 percent. The density bonus would be calculated as: $100 \times .22 = 22$ units. The total units constructed would be 122 units (100 units + 22 density bonus units).

- D. For categories 1 and 2, the density bonus could be additive for a development if the percentage of affordable units is met. Categories 3 and 4 standalone and cannot be combined with density bonuses in other categories.

Table 10-30.20.050.A: Percentage of Affordable Units and Corresponding Density Bonus¹

Category 1 ² (Permanent Affordability)		Category 2 ² (Permanent Affordability)		Category 3 ² (Permanent Affordability and Sustainable Building – Division 10-30.70)		Category 4 ² (One Time Affordability)	
% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus	% of Affordable Units	% of Density Bonus
10%	20%	10%	15%	10%	25%	10% or more	5%
12%	23%	11%	18%	11%	28%		
14%	27%	12%	22%	12%	32%		
16%	32%	13%	27%	13%	37%		
18%	37%	15%	32%	14%	42%		
20% or more	45%	20% or more	40%	20% or more	50%		

End Notes

¹The percentages provided in this table represent the City's expectation for affordable housing units and associated density bonuses. The density bonus percentages may be increased or decreased by as much as 3% by the Director provided that an applicant can justify in writing that a proposed development provides comprehensive overall community benefits beyond those provided by the additional provision of affordable housing units.

²The income ranges associated with Categories 1 through 4 shall be determined by the Council in the most recently adopted IPAH document (see Appendix 6 (Additional Information on Affordable Housing)).

(Section 10-30.20.050 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.20.060 Appeals

Any person, firm, or corporation aggrieved by a decision of the Director regarding a requested incentive may file an appeal as specified in Section 10-20.80.030 (Appeals of Permits and other Approvals).

Division 10-30.30: Heritage Preservation

Sections:

- 10-30.30.010 Purpose
- 10-30.30.020 Applicability
- 10-30.30.030 General Provisions
- 10-30.30.040 Designation of Landmark Properties or Historic Overlay Zones
- 10-30.30.050 Cultural Resources
- 10-30.30.060 Development of a Landmark Property and Property within a Historic Overlay Zone
- 10-30.30.070 Violations and Enforcement
- 10-30.30.080 Appeals

(Entire Division amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.30.010 Purpose

The purpose of this Division is to protect and enhance the cultural, historical, and archaeological heritage of the City of Flagstaff by recognizing, preserving, enhancing, and perpetuating the use of those objects, structures, sites, and landscape features that represent distinctive elements of the City's cultural, political, architectural, and archaeological history. The Council finds and intends that preservation of the City's heritage is in the interest of the health, economic prosperity, education, cultural enrichment, and general welfare of the public. This Division implements the City's General Plan and is implemented pursuant to the provisions of the *National Historic Preservation Act of 1966*, as amended, the Certified Local Government program (16 U.S.C. 470a 101(c)(1)), and A.R.S. § 9-462.01, providing the standards and procedures for heritage preservation. Information on the benefits to a property owner and the various incentive programs that are available to assist a property owner to preserve and protect cultural resources on their properties is available from the City Historic Preservation Officer.

10-30.30.020 Applicability

- A. In addition to all other development standards provided in this Zoning Code, compliance with the requirements of this Division, and review and approval pursuant to this Division is required for the following:
1. Designation of Landmark Properties or Historic Overlay Zones (Section 10-30.30.040);
 2. Cultural Resource Studies (Section 10-30.30.050.A); and

3. Development of a Landmark Property and Property within a Historic Overlay Zone (Section 10-30.30.060).

B. Exceptions

Compliance with the requirements of this Division is not required for the following:

1. Work that the Building Official certifies as correcting an imminent hazard, for which no temporary corrective measures will suffice in protecting the public safety;
2. Ordinary maintenance or repair of a property or structure, including public infrastructure, that does not involve a change in any element of design and that does not have an impact that is greater than that of the original construction; and,
3. Changes to the interior of structures that do not alter the exterior, the site, or the setting of the cultural resource.

10-30.30.030 General Provisions

A. Conflicting Provisions

When the provisions of this Division conflict with any other laws, codes, or regulations, then the provisions of this Division shall govern, except for matters of life safety where the more restrictive of such laws, codes, or regulations shall apply.

B. Application Requirements

In addition to any specific provisions, for all reviews, considerations, or approvals sought by this Division, an applicant shall submit a completed application on a form prescribed by the City in compliance with Section 10-20.30.020 (Application Process). The application shall include the information and materials specified in the submittal checklist, together with the required fee established in Appendix 2, Planning Fee Schedule.

C. Consent Approval

1. Applicability

The Historic Preservation Officer may review and approve or conditionally approve the following:

- a. Cultural Resource Studies that are Letter Reports; and
- b. Certificates of No Effect for minor work that has a limited impact in relation to the total cultural resource, including:
 - (1) Conforming signs excluding comprehensive sign programs;

- (2) A remodel, addition, deck or porch that does not expand the floor area or any outdoor activity area by more than 10 percent or 200 square feet;
 - (3) An accessory structure that is not more than the lesser of 10 percent of the main building's footprint or 400 square feet;
 - (4) Minor alterations such as storefront windows or doors, other fenestration, awnings, shutters, gutters, porch rails, accessible features and facilities, paint colors, lighting, roofing, fencing, retaining walls, walkways, driveways, or landscaping;
 - (5) Demolition or removal of inappropriate features that are non-original, including additions, accessory structures, and structures that are not cultural resources; and
 - (6) Modifications to support systems (mechanical, electrical, satellite dishes, and so forth) that are properly sited and screened.
- c. Any matter that the Heritage Preservation commission refers to the Historic Preservation Officer for approval.

2. Process

Consent approval by the Historic Preservation Officer is an administrative review and approval that occurs outside of a public meeting.

a. Referral to Heritage Preservation Commission

The Historic Preservation Officer may refer any matter to the Heritage Preservation Commission for any reason, and shall refer any matter to the Heritage Preservation Commission when a denial appears appropriate.

b. Heritage Preservation Commission Oversight

The Historic Preservation Officer shall regularly review consent matters with the Heritage Preservation Commission.

D. Concurrent Development Application Review

At the applicant's option, development proposals that require an approval pursuant to this Division may proceed concurrently with other development reviews and processes. However, no permit shall be granted, and no work shall commence, until an approval pursuant to this Division has been granted and mitigation measures have been incorporated into the final design and documentation of the development.

E. Expiration of Approvals

1. Any approval pursuant to this Division shall automatically expire if the plans are altered or construction proceeds in a manner such that the documentation submitted as the basis of the approval no longer

accurately represents the work. See also Section 10-30.30.070 (Violations and Enforcement).

2. Any approval pursuant to this Division automatically expires one year after the date of approval, unless the work associated with the approval is underway and due diligence toward completion of the work can be demonstrated.

F. Unknown or Undiscovered Conditions

During the course of any work all work that could impact a cultural resource shall be stopped immediately and the Historic Preservation Officer shall be notified if;

1. A potential cultural resource is discovered which was previously unknown; or
2. Any conditions are discovered that prohibit conformance with any approval or conditional approval issued pursuant to this Division; or
3. Any conditions are discovered that warrant any deviation from plans that served as the basis of any approval or conditional approval issued pursuant to this Division.

The work shall remain stopped until the applicant has obtained new, additional, or revised approvals pursuant to this Division.

G. Flagstaff Register of Historic Places

The Flagstaff Register of Historic Places identifies properties or zones designated by the Council as Landmark Properties or Historic Overlay Zones, which are depicted as such on the official Zoning Map of the City.

Supplemental to the Flagstaff Register of Historic Places, the Historic Preservation Officer shall maintain lists, maps and other data of areas likely to contain cultural, historic, or archaeological resources and properties believed to be eligible for designation as Landmark Properties or Historic Overlay Zones but not yet designated as such (Refer to Map 10-90.30.010 (Cultural Resource Sensitivity Map)).

Information concerning the nature and/or location of any archaeological resource shall not be made available to the public, pursuant to Federal and State laws.

10-30.30.040 Designation of Landmark Properties or Historic Overlay Zones

A. Purpose

Designation of a property as a Landmark Property or Historic Overlay Zone formally recognizes its significance, and the need to preserve its historic features.

B. Applicability

1. **Landmark Property:** An individual property, object, structure, site, sign, or landscape feature may be designated as a Landmark Property within the Landmark Overlay Zone if it is significant in accordance with the provisions of this Division.
2. **Historic Overlay Zone:** A group of properties may be designated as a Historic Overlay Zone if a majority of the properties are significant in accordance with the provisions of this Section or if they provide the necessary setting for a Landmark Property.

C. Process for Designation of a Landmark Property

The designation of a Landmark Property shall follow the procedural steps represented in Figure A (Processes for Designation of a Landmark Property and Historic Overlay Zone) and described below:

1. An application for designation of a Landmark Property, or an amendment to a Landmark Property, shall be submitted to the Historic Preservation Officer, and shall be reviewed and a recommendation prepared in compliance with the Review Schedule on file with the Planning Section. The designation of a Landmark Property requires submittal of the application requirements for a Small Scale Zoning Map amendment as specified in Division 10-20.50 (Amendments to the Zoning Code Text or the Official Zoning Map) and as modified by the submittal requirements established for an application for designation of a Landmark Property.
2. The Council, Heritage Preservation Commission, or an owner of affected real property may initiate designation. Property owner consent is required for designation of a Landmark Property.
3. The Historic Preservation Officer's recommendation shall be transmitted to the Heritage Preservation Commission in the form of a staff report prior to a scheduled public meeting. The staff report shall include the following:
 - a. An evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans; and
 - b. A recommendation on whether the proposed Landmark Property designation should be granted, granted with conditions to mitigate any anticipated impacts, or denied.
4. A copy of the staff report shall be made available to the public and any applicant prior to the Heritage Preservation Commission's public meeting.

5. Prior to the Planning Commission public hearing as required in Section 10-20.50.040.H (Planning Commission Public Hearing), the Heritage Preservation Commission shall conduct a public meeting which shall serve in lieu of the required neighborhood meeting pursuant to Section 10.20.30.060 (Neighborhood Meeting). Notice of the Heritage Preservation Commission's public meeting shall be in compliance with Section 10-20.30.060 (Neighborhood Meeting).
6. The Heritage Preservation Commission shall render its decision in the form of a written recommendation to the Planning Commission and Council. The Heritage Preservation Commission may recommend approval, approval with conditions, or denial of the Landmark Property request.
7. Public hearings of the Planning Commission and Council shall be noticed and conducted in accordance with Section 10.20.30.080 (Notice of Public Hearings). The Planning Commission and Council shall act on the Heritage Preservation Commission's recommendation in accordance with the procedures established in Section 10-20.50.040 (Procedures).

D. Process for Designation of a Historic Overlay Zone

The designation of property or properties as a Historic Overlay Zone is represented in Figure A (Processes for Designation of a Landmark Property and Historic Overlay Zone) and shall follow the procedural steps described below:

- a. An application for designation of property or properties as a Historic Overlay Zone, or an amendment to a Historic Overlay Zone, shall be submitted to the Historic Preservation Officer, and shall be reviewed and a recommendation prepared in compliance with the Review Schedule on file with the Planning Section. The designation of a Historic Overlay Zone requires submittal of the application requirements for a Small Scale Zoning Map amendment as specified in Division 10-20.50 (Amendments to the Zoning Code Text or the Official Zoning Map) and as modified by the submittal requirements established for an application for designation of a Historic Overlay Zone.
- b. The Council, Heritage Preservation Commission, or an owner of affected real property may initiate designation. If the proposal includes property other than that owned by the applicant, then, a petition in favor of the request, and on a form prescribed by the City, must be signed by affected property owners representing at least 51 percent of the included parcels.

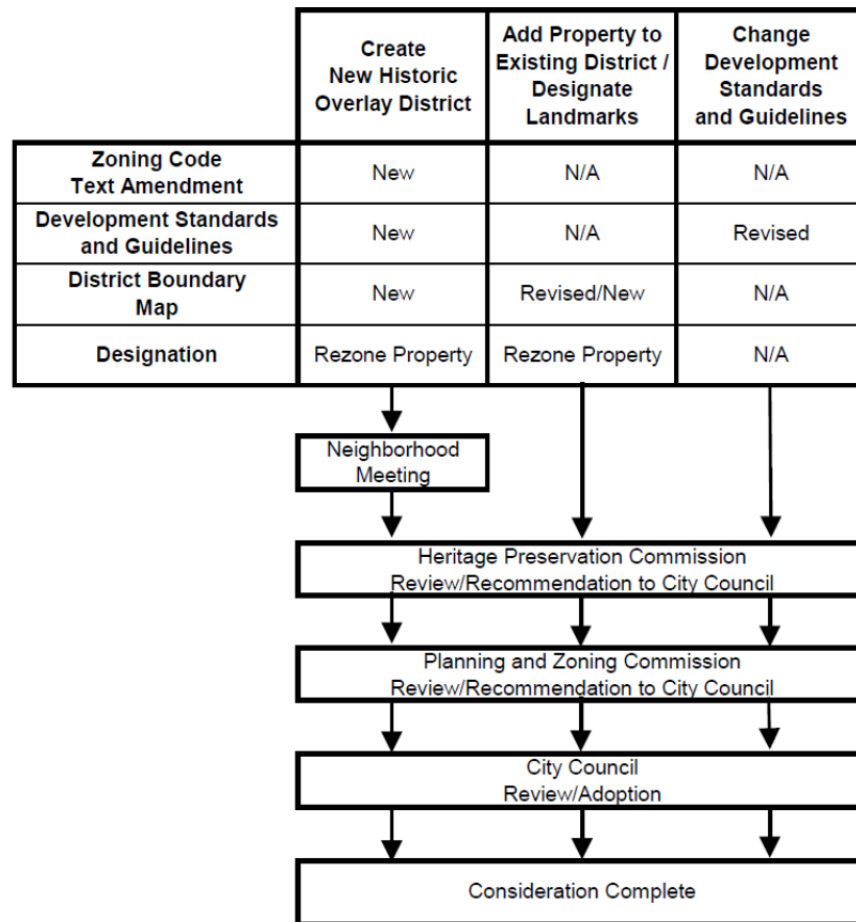


Figure A. Processes for the Designation of a Landmark Property and Historic Overlay Zone

- c. The Historic Preservation Officer's recommendation shall be transmitted to the Heritage Preservation Commission in the form of a staff report prior to a scheduled public meeting. The staff report shall include the following:
 - a. An evaluation of the consistency and conformance of the proposed amendment with the goals of the General Plan and any applicable specific plans; and
 - b. A recommendation on whether the text amendment or Zoning Map amendment should be granted, granted with conditions to mitigate anticipated impacts caused by the proposed development, or denied.
4. A copy of the staff report shall be made available to the public and any applicant prior to the Heritage Preservation Commission's public meeting.

5. Prior to the Heritage Preservation Commission public meeting, the applicant shall conduct a neighborhood meeting pursuant to Section 10.20.30.060 (Neighborhood Meeting). The Heritage Preservation Commission's public meeting shall be noticed in compliance with Section 10-20.30.080 (Notice of Public Hearings).
6. The Heritage Preservation Commission shall render its decision in the form of a written recommendation to the Planning Commission and Council. The Heritage Preservation Commission may recommend approval, approval with conditions, or denial of the Landmark Property request.
7. Public hearings of the Planning Commission and Council shall be noticed and conducted in accordance with Section 10.20.30.080 (Notice of Public Hearings). The Planning Commission and Council shall act on the Heritage Preservation Commission's recommendation in accordance with the procedures established in Section 10-20.50.040 (Procedures).
8. In addition to the above procedures, new Historic Overlay Zones also require a text amendment to the Zoning Code to create the new zone following the procedures outlined in Section 10-20.50.040.B.2.
9. Modification(s) to the boundaries of designated Historic Overlay Zones by including or excluding properties shall be adopted in accordance with this process.
10. New Historic Overlay Zones require the adoption of development standards and design guidelines that are specific to the district.
 - a. Adoption of development standards and design guidelines associated with a new Historic Overlay Zone shall be a fully integrated part of the process for designation of the zone and adopted by an ordinance of the Council.
 - b. Modification(s) to adopted development standards and guidelines shall be adopted in accordance with the process for designation of a new zone, except that the application requirements exclude the need for all other documentation.
11. **Interim Protection for Nominations**

Commencing with the Historic Preservation Commission making a recommendation for approval of a Historic Overlay Zone, Building or Demolition Permits for any property within the proposed Historic Overlay Zone shall not be issued until any one of the following occurs:

 - a. The Historic Preservation Officer has reviewed the proposed work and determined that the proposed work is not subject to the provisions of this Division, or will clearly not have a major impact on a significant resource.

- b. The Council has approved or denied the proposed Historic Overlay Zone. In the case of zone approval, all work in the new Historic Overlay Zone shall be subject to the provisions of this Division.
- c. Six months have transpired since the Historic Preservation Commission's recommendation for approval of the Historic Overlay Zone with no approval or denial.

E. Individual Signs of Historic or Cultural Significance

- 1. Signs which may be unusual, significant, or meaningful to the City streetscape and the City's history may be worthy of special recognition and may be designated as a Landmark Property in accordance with the provisions of this Division if they meet the following criteria:
 - a. The sign has been in continuous existence at its present location for not less than 50 years;
 - b. The sign is of exemplary technology, craftsmanship or design for the period in which it was constructed; uses historic sign materials or means of illumination; and/or is unique in that it demonstrates extraordinary aesthetic quality, creativity, or innovation;
 - c. The sign is structurally safe or is capable of being made so without substantially altering its historical character or significance;
 - d. If the sign has been altered, it must be restorable to its historic function and appearance; and
 - e. The sign complies with movement, bracing, and illumination requirements contained in Section 10-50.100.050.D (Structure and Installation).
- 2. **Effect of Designation**
When a sign is found to be significant, designated as a Landmark Property (Section 10-30.30.040.C), and restored to its historic function and appearance, the sign shall not be subject to the provisions of Division 10-50.100 (Sign Regulations).

10-30.30.050 Cultural Resources

Cultural Resources are an important consideration in an application for development. Professionally prepared Cultural Resource Studies are therefore a requirement of an application for development. The type and format of studies required are determined based on the particular circumstances of the property on which development is proposed. Cultural Resource Studies assess the significance and integrity of potential resources, major impacts that would result from the proposed work and mitigation measures that could eliminate or offset

any major impacts. This Section provides detailed requirements for Cultural Resource Studies and explains how such assessments are performed.

A. Cultural Resource Studies

1. Purpose

To identify significant cultural resources and potential impacts of proposed development so that mitigation measures can be established for major impacts prior to development of the property.

2. Applicability

- a. Cultural Resource Studies are required for all public and private developments involving:
 - (1) Properties listed on the Flagstaff Register of Historic Places; or
 - (2) Properties listed on the Arizona Register of Historic Places; or
 - (3) Properties listed on the National Register of Historic Places; or
 - (4) Undeveloped land; or
 - (5) Structures over 50 years old at the time of application.
- b. When warranted by the specific conditions of the site or proposed work, the Historic Preservation Officer may determine that a Cultural Resource Study is not required based on the following conditions:
 - (1) The land, while undeveloped, is relatively small, surrounded by development, and unlikely to contain resources; or
 - (2) The structure is not significant or lacks integrity; or
 - (3) The proposed work is excepted from this Division pursuant to Section 10-30.30.020.C.1; or
 - (4) The proposed work does not have major impacts, diminish the significance or integrity of the resource, is reversible, or is temporary; or
 - (5) The structure is post World War II (1945) production housing; or
 - (6) Other circumstances under which it is reasonable to conclude that a Cultural Resource Study is not warranted.
- c. The requirement to prepare a Cultural Resource Study does not in and of itself mean that the resources are significant (See Subsection B below).

3. Specific Application Requirements

a. Types of Studies

Upon consultation with the Historic Preservation Officer and based on the resources that are known or likely to be present, the applicant shall provide an Archeological Resource Study and/or a Historic Resource Study.

b. Preparation

Cultural Resource Studies shall be prepared by professionals qualified in accordance with the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (36 CFR 61 Appendix A) as currently amended and annotated by the National Park Service.

c. Report Format

The Historic Preservation Officer will work with the professional conducting the study to determine which one of the following report formats is appropriate:

(1) Letter Reports

A Letter Report is appropriate when;

- (a) Site conditions, historic records, or previous research or studies indicate that cultural resources are not likely to be present; or
- (b) The integrity of a cultural resource is already severely compromised; or
- (c) The proposed work will not compromise the significance or integrity of the cultural resource; and
- (d) When no mitigation measures are warranted.

The report need only demonstrate that one of these conditions exists.

(2) Phase 1 Cultural Resource Studies

When a Letter Report is not appropriate, a Phase 1 Cultural Resource Study shall be prepared. A Phase 1 Cultural Resource Study shall;

- (a) Identify the presence of cultural resources;
- (b) Evaluate the potential for additional cultural resources being discovered;
- (c) Assess the significance of identified and potential cultural resources;

- (d) Assess the integrity of identified resources;
- (e) Assess identified and potential impacts proposed;
- (f) Provide measures to mitigate major impacts on cultural resources; and
- (g) Advise whether Phase 2 or Phase 3 Cultural Resource Studies will be required.

(3) Phase 2 Cultural Resource Studies

A Phase 2 Cultural Resource Study is required when major impacts are proposed for a significant resource that has integrity and when no other mitigation measures are proposed that would maintain the significance and integrity of the resource. A Phase 2 Cultural Resource Study includes all of the contents of a Phase 1 Cultural Resource Study plus complete text descriptions, as-built plans, and archival grade photography that fully document all physical aspects of the resource(s), including its setting. For Archeological Resource Studies, the required field research shall also include sampling subsurface exploration to the satisfaction of the State Historic Preservation Office and coordinated with an appropriate repository.

(4) Phase 3 Cultural Resource Studies

A Phase 3 Cultural Resource Study is only used for archeological resources and requires complete data recovery, which must be systematically excavated, inventoried, recorded, and mapped. The planned recovery must be designed to the satisfaction of the State Historic Preservation Office and coordinated with an appropriate repository.

(5) National Historic Preservation Act Section 106 Documentation

Documentation prepared pursuant to Section 106 of the National Historic Preservation Act of 1966 and approved by the Arizona State Historic Preservation Officer may serve as one of the above report formats. This alternate format is appropriate when the level of review and content of the Section 106 documentation meets the requirements of this Division.

d. Content

A Cultural Resource Study shall be submitted as a bound document and in an electronic format in a form as determined by the Historic Preservation Officer, and shall contain text, plans, photographs, and other appropriate documentation.

4. Process

a. Heritage Preservation Commission Review

The Heritage Preservation Commission shall review and accept Cultural Resource Studies, and may approve or conditionally approve proposed mitigation measures. Alternatively, the Heritage Preservation Commission may require additional research, documentation, or mitigation measures prior to acceptance. Letter Reports may be accepted by a consent approval process described in Section 10-30.30.030.C.

b. When a Cultural Resource Study has been accepted, it shall be offered for curation to the appropriate repository as directed by the Historic Preservation Officer or the State Historic Preservation Office, and in accordance with the standards set forth in 36 CFR 79.9 and 79.10.

c. The processes for consideration of cultural resources are provided in Figure B (Processes for Consideration of Cultural Resources).

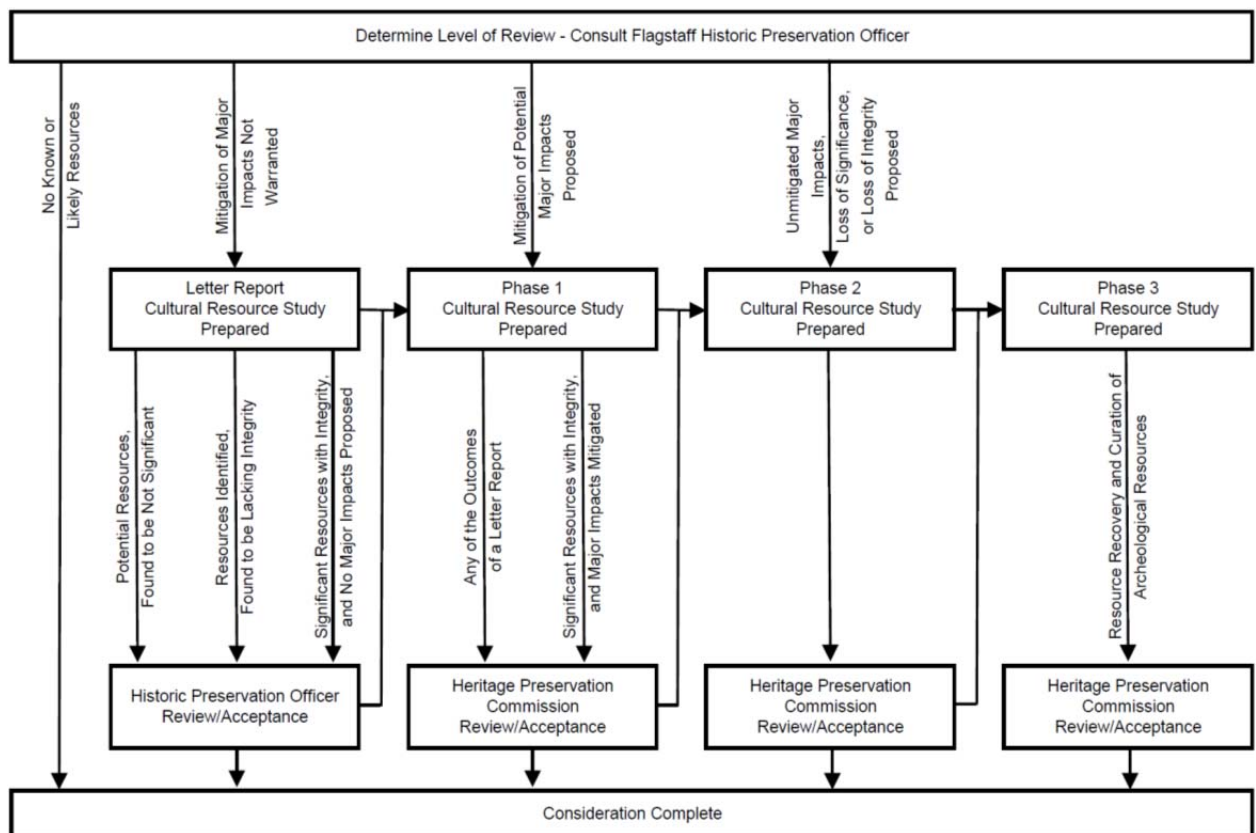


Figure B. Processes for Consideration of Cultural Resources

5. Required Recommendations by the Report Preparer

- a. A Phase 1 Cultural Resource Study shall include a recommendation for the preparation of a Phase 2 Cultural Resource Study when:
 - (1) The assessment of whether a cultural resource's presence or significance is indeterminate; or
 - (2) Major impacts are proposed for a significant resource that has integrity and when no other mitigation measures are proposed that maintain the significance and integrity of the resource.
- b. A Phase 2 Cultural Resource Study shall include a recommendation for the preparation of a Phase 3 Cultural Resource Study when:
 - (1) Significant archeological resources are present in the development area; and
 - (2) Actual or potential impacts are major impacts; and
 - (3) When no other mitigation measures are proposed that maintain the significance and integrity of the resource.

B. Determination of Significance of Cultural Resources

The criteria for determining the significance of a cultural resource is based on the potential of the cultural resource to contribute to our understanding of the past.

- 1. A cultural resource is significant if:
 - a. It is listed or eligible as a National Historic Landmark, or for the National Register of Historic Places, or the Arizona Register of Historic Places; or
 - b. It is associated with events or persons in the architectural, engineering, archeological, scientific, technological, economic, agricultural, educational, social, political, military, or cultural annals of the City, the State of Arizona, or the United States of America; or
 - c. It represents the work of, or for, an important individual; or
 - d. It embodies distinctive characteristics of type, period, region, artistic values or methods of construction, including being the oldest of its type or the best example of its type; or
 - e. It has yielded, or may be likely to yield, information needed for scientific research, such as important archaeological resources.

2. A resource is generally not significant if:
 - a. It is less than 50 years old at the time of application; or
 - b. The features, materials, patterns and relationships that contributed to its significance are no longer present or no longer have integrity.
3. Requirement to Meet the Criteria, Regardless of Age: Properties that are 50 years old are not automatically significant. In order to be significant, all resources, regardless of age, must be demonstrated to meet the criteria for determining the significance of a cultural resource.

C. Determination of Integrity

Integrity is the ability of a property to convey its significance and is based on significance, i.e. why, where, and when a property is important. Integrity is the authenticity of a property's physical identity clearly indicated by the retention of characteristics that existed during the property's period of significance. Ultimately, the question of integrity is answered by whether or not the property retains the identity for which it is significant.

1. Historic properties either retain integrity (convey their significance) or they do not.
2. The historic physical features that represent the significance of a property must remain and must be visible enough to convey their significance. However, it is not necessary for a property to retain all its historic physical features or characteristics. The property must retain sufficient physical features, historic character, and appearance that enable it to convey its historic identity and the reasons for its significance.
3. To retain historic integrity a property will always possess several, and usually most, of the following seven aspects of integrity:
 - a. **Location:** The place where the historic property was constructed or the place where the historic event occurred.
 - b. **Design:** The combination of elements that create the form, plan, space, structure, and style of a property. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.
 - c. **Setting:** The physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role.
 - d. **Materials:** The physical elements that were combined or deposited during a particular period of time and in a particular pattern or

configuration to form a historic property. A property must retain the key exterior materials dating from the period of its historic significance.

- e. **Workmanship:** The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
 - f. **Feeling:** A property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character.
 - g. **Association:** The direct link between an important historic event or person and a historic property.
- 4. Integrity is not the same as condition. Integrity relates to the presence or absence of historic materials and character defining features. Condition relates to the relative state of physical deterioration of the property. Integrity is generally more relevant to the significance of a property than condition. However, if a property is in such poor condition that original materials and features may no longer be salvageable, then the property's integrity may be adversely impacted and compromised.
 - 5. To be considered authentic, a property must incorporate a substantial amount of the original features and materials. While new material can exactly copy significant features, if too much historic material is replaced with new material, the integrity of the property is lost and integrity can never be re-created. The precise replication of features with new materials may produce a building that looks like a historic building, but without substantial retention of actual historic materials, the integrity of the property is lost.

D. Determination of Major Impacts to Cultural Resources

Impacts to resources are major when they directly or indirectly alter or destroy any of the characteristics that make the resource significant, including when they may diminish the integrity of the resource including its location, design, setting, materials, workmanship, feeling or association.

- 1. Major impacts include:
 - a. Physical destruction or damage to all or part of the resource;
 - b. Alteration to all or part of the resource that is not consistent with applicable standards and guidelines;
 - c. Relocation or isolation of the cultural resource from its setting;
 - d. Excessive replacement of original materials;

- e. Alteration of the character of the cultural resource's setting;
 - f. Introduction of visual, audible, or atmospheric elements that are out of character with the cultural resource or its setting; or
 - g. Neglect of a cultural resource resulting in its deterioration or destruction.
2. An impact is generally not major if:
- a. It does not alter the resource; or,
 - b. It is reversible; or,
 - c. It is temporary.

E. Mitigation Measures

1. **Purpose**

To the greatest extent feasible, mitigation measures minimize or offset major impacts on resources with a general threshold of reducing the impacts to a level that is less than a major impact.

2. **Applicability**

All proposed work that will or may have a major impact on a significant cultural resource, as determined by an appropriate Cultural Resource Study, shall incorporate mitigation measures.

3. **Professional Design Required**

The preparer of a Cultural Resource Study shall design the appropriate mitigation measures. These may include alternative projects, alternative designs, additional work, or other means. The appropriate type and scope of measures varies depending on the cultural resource and impacts, and shall be recommended based on the professional expertise of the preparer and the following:

a. **For Potential Resources or Potential Impacts**

Construction monitoring by the report preparer is an acceptable mitigation measure. If monitoring indicates that the work will produce a major impact to a significant cultural resource, construction shall cease in the area of the resource and the report preparer, subject to approval pursuant to this Division, shall develop and apply appropriate mitigation measures.

b. **For Identified Major Impacts**

The following mitigation measure designs are presented in order of general preference:

- (1) Avoidance of significant cultural resources or impacts by not taking a certain action or parts of an action;

- (2) Preservation of cultural resources in place;
- (3) Minimizing major impacts by limiting the degree or magnitude of the action and its implementation;
- (4) Allow other parties to acquire cultural resources, cultural resource sites, or conservation easements;
- (5) Data recovery.

c. **Human Remains**

Federal and State laws provide standards and regulations for the handling, care and removal of human remains.

F. **Standards and Guidelines**

The following standards and guidelines apply to the preparation, review, and acceptance of Cultural Resource Studies pursuant to this Section;

- 1. *Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* as currently amended and annotated by The National Park Service.
- 2. *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.*
- 3. *Preservation Briefs* and other similar best practice documents published by the National Park Service

10-30.30.060 Development of a Landmark Property and Property within a Historic Overlay Zone

A. **Purpose**

This Section provides standards and procedures for the preservation, reconstruction, rehabilitation, or restoration of designated Landmark Properties and properties within a Historic Overlay Zone.

B. **General Applicability**

Except as provided in Section 10-30.30.020.B, all proposed work on a Landmark Property and within a Historic Overlay Zone, whether or not any other approval or permit is required, including demolition, shall be approved pursuant to this Division.

C. **Process**

Except as provided in Section 10-30.30.030.B, prior to the granting of any required approvals or permits and prior to the commencement of any work on a Landmark Property or within a Historic Overlay Zone, the Heritage Preservation Commission or the Historic Preservation Officer shall review all work proposed and approve or conditionally approve the work in the form

of a Certificate of No Effect, Certificate of Appropriateness, or Certificate of Economic Hardship. The process for review and approval of work within a Historic Overlay Zone is represented in Figure C (Processes for Review of Development in a Landmark Property and Historic Overlay Zone).

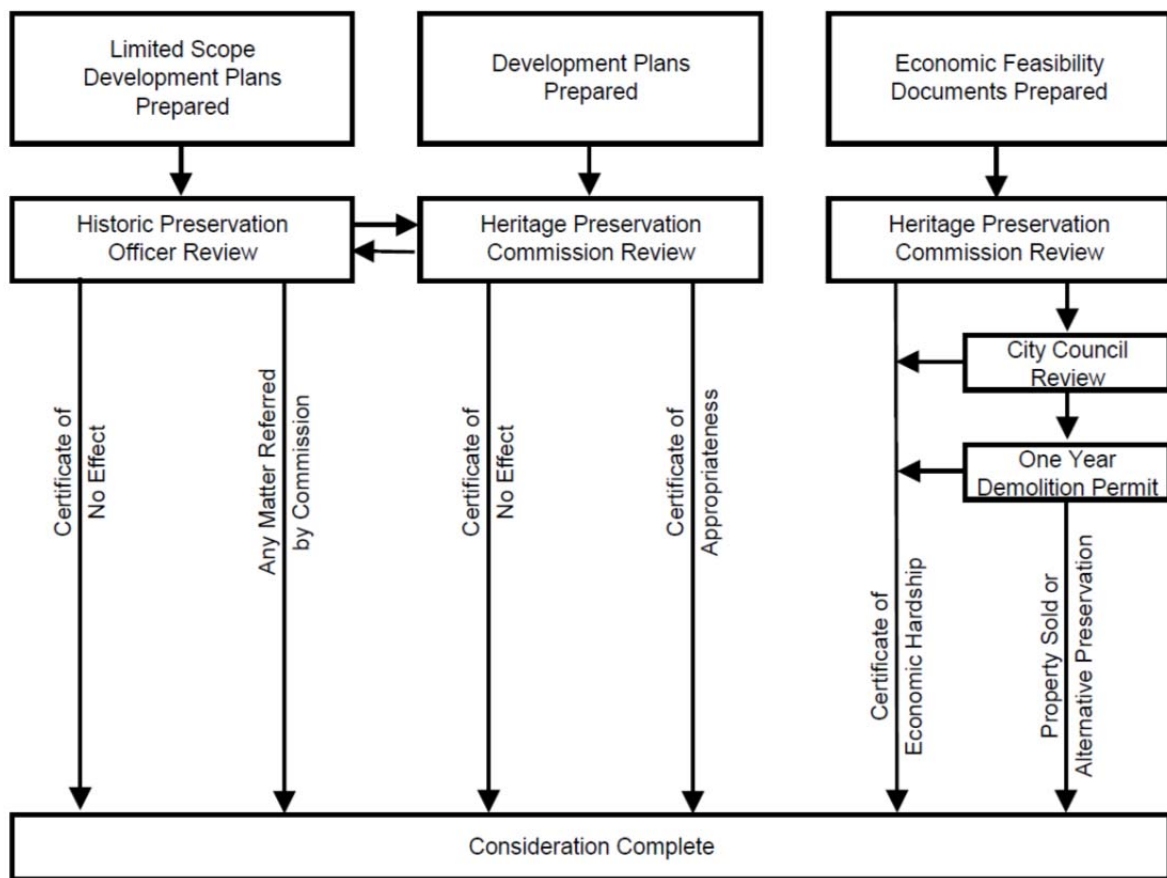


Figure C. Processes for Review of Development in a Landmark Property and Historic Overlay Zone

D. Certification of No Effect

1. Applicability

This approval is appropriate if the proposed work is compatible with the historic or archaeological character of a cultural resource, such that there will be no major impact on the resource, thereby not diminishing, eliminating, or adversely affecting the significance or integrity of the resource.

2. Criteria for Approval

When approving a Certification of No Effect, the Historic Preservation Officer or Heritage Preservation Commission shall find that:

- a. The proposed work is consistent with the purpose and intent of this Division;
- b. The proposed work is compatible with its context:
 - (1) The appropriate context for a Landmark or a Historic Property is the property itself and to a much lesser extent, the surrounding properties, and neighborhood;
 - (2) The appropriate context of work in a Historic Overlay Zone is the significant portions of the property itself, the surrounding properties, and the neighborhood;
- c. The cultural resources associated with the proposed work have been sufficiently identified and evaluated;
- d. There are no major impacts to any on-site cultural resources; and
- e. The proposed work is consistent with applicable Development Standards and Design Guidelines. See also Subsection G (Development Standards and Guidelines).

E. Certification of Appropriateness

1. Applicability

This approval is appropriate if the proposed work alters a cultural resource, but does so in such a way that is compatible with the historic or archaeological character of the resource and all major impacts are mitigated such that the work does not diminish, eliminate, or adversely affect the significance or integrity of the resource.

2. Criteria for Approval

When approving a Certification of Appropriateness, the Heritage Preservation Commission shall find that:

- a. The proposed work is consistent with the purpose and intent of this Division;
- b. The proposed work is compatible with its context:
 - (1) The appropriate context for a Landmark or a Historic Property is the property itself and to a much lesser extent, the surrounding properties, and neighborhood;
 - (2) The appropriate context of work in a Historic Overlay Zone is the significant portions of the property itself, the surrounding properties, and the neighborhood;
- c. The cultural resources associated with the proposed work have been sufficiently sought, identified, and evaluated;

- d. Major impacts on cultural resources are sufficiently mitigated; and
- e. The proposed work is consistent with applicable Development Standards and Design Guidelines. See also Subsection G (Development Standards and Guidelines).

F. Certification of Economic Hardship

1. Applicability

This approval is appropriate if the proposed work, including demolition, and appropriate mitigation measures, will deprive the property owner of reasonable use of or a reasonable economic return on the property; or, will result in a substantial reduction in the economic value of the property; or, will result in a substantial economic burden on the property owner because the property owner cannot reasonably maintain the property in its current form.

2. Criteria for Approval

When approving a Certification of Economic Hardship, the Heritage Preservation Commission shall find that:

- a. The cultural resources associated with the proposed work have been sufficiently identified, and evaluated;
- b. An economic hardship exists (a lack of reasonable use or return, a substantial reduction in the value, or a substantial burden);
- c. Preservation is economically infeasible;
- d. The economic hardship is not a self-created hardship;
- e. Alternative development has been fully explored; and
- f. Alternative financing has been fully explored.

3. Temporary Delay of Demolition

If a Certificate of Economic Hardship is denied by the Heritage Preservation Commission, no demolition shall be permitted for a period of one year from the date of the public meeting when the request was denied. During the temporary delay period, the applicant shall consult in good faith with the Heritage Preservation Commission, state and local preservation groups, and interested parties in a diligent effort to seek an alternative that will result in the preservation or sale of the property. The property owner shall advertise the property for sale at a fair market value based on appraisals. Following the temporary delay period, if no other plan demonstrates a reasonable alternative, and no purchaser has been found, the proposed demolition will be allowed, subject to the issuance of the appropriate permit by the Building Official.

G. Development Standards and Guidelines

The following standards and guidelines apply to all approvals granted pursuant to this Section:

1. City Code, Title 10 Zoning Code

The Heritage Preservation Commission and the Historic Preservation Officer shall apply the development standards and guidelines provided in Section 10-30.60.050 (Compatibility) as criteria for determining the appropriateness of a development proposal.

2. Industry Standards and Guidelines

- a. *The Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* as currently amended and annotated by The National Park Service.
- b. *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.*
- c. *Preservation Briefs* and other similar best practice documents published by the National Park Service.

3. Zone Specific Development Standards and Guidelines

These standards and guidelines are available from the Planning Section.

- a. *Design Handbook for Downtown Flagstaff* (1997);
- b. *Townsite Historic Overlay Zone Design Standards and Guidelines* (June 2007);
- c. *Landmark Zone Design Standards and Guidelines* (March 2008); and,
- d. Others as may be adopted in association with any designation of a new Historic Overlay Zone.

10-30.30.070 Violations and Enforcement

- A. All work authorized as a result of an approval granted pursuant to this Division shall conform to any requirements included with it. Deviations from the plans that served as the basis of the approval of a Certificate of Appropriateness, or from any conditions of approval, constitute a violation of the provisions of this Division. Violations shall be governed by the provisions of Division 10-20.110 (Enforcement).
- B. It shall be the duty of the Heritage Preservation Officer and/or the City Building Inspector to inspect periodically and assure compliance of any work performed pursuant to the provisions of this Division. Enforcement shall be governed by the provisions of Division 10-20.110 (Enforcement).

10-30.30.080 Appeals

Any person, firm, or corporation aggrieved by a decision of the Historic Preservation Officer or the Heritage Preservation Commission in interpreting, applying, or enforcing this Division, may file an appeal in accordance with the appeal provisions established in Section 10-20.80.030 (Appeals of Permits and Other Approvals).

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Division 10-30.40: Community Benefit Program

Sections:

10-30.40.010 Reserved

10-30.40.010 Reserved

This Division is reserved for future use.

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Division 10-30.50: Public Improvements

Sections:

- 10-30.50.010 Purpose
- 10-30.50.020 Responsibilities
- 10-30.50.030 Public Improvements Defined
- 10-30.50.040 Exemptions
- 10-30.50.050 Impact Analysis Required
- 10-30.50.060 Minimum Requirements
- 10-30.50.070 Inspection and Acceptance of Public Improvements
- 10-30.50.080 Appeals

10-30.50.010 Purpose

It is the intent and purpose of this Section to set forth the minimum acceptable standards for public improvements that are required to mitigate the impacts of new development as determined by an appropriate impact study (See Section 10-30.50.050); to define the responsibility of the applicant in planning, constructing and financing public improvements; and to set forth the City's responsibilities in the review and acceptance of public improvements.

(Section 10-30.50.010 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.020 Responsibilities

A. Responsibilities – All Single-family Residential Subdivisions

1. It shall be the responsibility and duty of the applicant to plan, construct and finance all public improvements associated with and required to mitigate the impacts of the subdivision of land, unless a Development Agreement specifically provides otherwise.
2. The applicant must have an engineer registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans shall be based on the approved preliminary plat, zoning case, and/or staff approved stipulations. The applicant must prepare these plans in conjunction with and in conformance to the subdivision plat.
3. The Building Official may only accept a Building Permit application for review no less than 30 days after the final plat for the subdivision has been recorded subject to the provisions of City Code Section 11-20.70.030.G. When the Building Permit is ready to be issued, a condition of its approval shall state that construction activity authorized by the Building Permit may not commence until any uncompleted streets to be

used by construction or residential traffic satisfy the requirements of Section 13-10-013-0001 (Use of Uncompleted Streets within a Subdivision) in the *Engineering Standards*. Such Building Permit application shall be submitted at the applicant's risk, and the City will not be responsible for delays in the issuance of the permit or increases in applicable fees including, but not limited to, changes required to the submitted plans as a result of Building Code amendments that may be in effect.

4. The applicant shall be responsible for ensuring that all public improvements are constructed in compliance with applicable federal, state, county, and City requirements. All public improvements must be completed and formally accepted by the agencies from which construction permits were issued before the City will issue a conditional or final Certificate of Occupancy for any building or structure within the subdivision.
5. The applicant may meet the requirements of this Division by participating in a City-approved improvement district.

B. Responsibilities – All Other Development

1. It shall be the responsibility and duty of the applicant to plan, construct and finance all public improvements associated with and required to mitigate the impacts of new land development, including commercial subdivisions and all developments subject to Site Plan Review and Approval (See Section 10-20.40.140), unless a Development Agreement specifically provides otherwise.
2. The Building Official may issue a Building Permit in accordance with the requirements of Section 10-20.40.030 (Building Permits and Certificates of Occupancy) when;
 - a. The required Engineering Design Report and/or construction plans for public improvements have been conditionally approved by the City Engineer and found to be in substantial compliance with City standards and specifications; and
 - b. An assurance has been provided pursuant to Division 10-20.100 (Assurance of Performance for Construction).
3. The applicant must have an engineer who is registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans must be based on the approved preliminary plat (if applicable), zoning case, site plan, and/or staff approved stipulations. The applicant must prepare these plans in conjunction with and in conformance to an approved site plan.

4. All public improvements must be completed and formally accepted by the agencies from which construction permits were issued before the City will issue a certificate of occupancy for any building or structure on the property. A Conditional Certificate of Occupancy may be issued if the Building Official and City Engineer determine that no life safety concerns are present.
5. The applicant may meet the requirements of this Division by participating in a City approved improvement district.

(Section 10-30.50.020 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.030 Public Improvements Defined

Public improvements mean any right-of-way, easement, access right or physical improvement that is required to mitigate the impacts of new development, as determined by an appropriate impact study, and which, upon formal acceptance by the City, becomes the responsibility of the City for ownership, maintenance and repair, unless provided by others including the maintenance of sidewalks and certain landscaping (See City Code Chapter 8-01). Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, sidewalks or urban trails and FUTS trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements, which upon completion, are intended to be for the use and enjoyment of the public.

(Section 10-30.50.030 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.040 Exemptions

The following are exempt from all the requirements of this Division:

- A. An expansion or alteration of an existing nonresidential or multi-family residential use that results in a 25 percent or less increase in the intensity of the use in terms of additional dwelling units, gross floor area, seating capacity or parking spaces, either with a single or cumulative addition(s) or expansion(s); or
- B. An expansion or alteration of an existing nonresidential or multi-family residential use that results in a change of 50 percent or less of the actual value of the structure prior to the start of construction as determined from the records of the Coconino County Assessor or by a current appraisal by an appraiser licensed by the State of Arizona; or

- C. Construction of or alteration to a single-family detached residence or a duplex of any value.

(Section 10-30.50.040 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.050 Impact Analysis Required

- A. Pursuant to Chapter 13-05 (Engineering Design Reports) of the *Engineering Standards* and the *Stormwater Regulations*, the City Engineer and Stormwater Manager shall require the applicant to furnish impact studies to assess the impact of new development on the City's existing streets, public utilities and drainage infrastructure. The Utility Director shall assess the impact of new development on the City's utility infrastructure.
- B. When an impact study identifies impacts to the City's public infrastructure that are attributable to the proposed development, impact mitigation is required. The design and construction of improvements to mitigate the identified impacts shall be constructed by the applicant.
- C. Impact Analyses shall be valid for the period of time as defined in the *Engineering Standards* and the *Stormwater Regulations*.
- D. The requirements of this Subsection may be waived with the consent of both the City and the applicant.

(Section 10-30.50.050 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.060 Minimum Requirements

The public improvements required pursuant to this Division shall have a rational nexus with, and shall be roughly proportionate to, the impact(s) created by the subdivision or land development as determined by the studies described in Section 10-30.50.050 (Impact Analysis Required), above. The presumptive minimum requirements for public improvements as described in Section 10-30.50.030 (Public Improvements Defined) are:

A. Right-of-Way

1. If, as determined by the City Engineer, the property to be developed does not have adequate rights-of-way due to the new development, or will not accommodate the public improvements that are required to mitigate the impacts of the new development, then necessary right-of-way must be dedicated to the City.
2. The City Engineer may impose special requirements, such as imposing additional setbacks, to assure future right-of-way needs as may be contemplated under the existing General Plan or other approved land use documents.

- a. In the event that the granting of right-of-way or drainage way creates a nonconforming lot due to the decrease in land, the remainder will be considered a legal nonconforming lot.
- b. When it is necessary for a development to improve a street and sufficient right-of-way is not available from other area property owners not subject to the provisions of this Division, the Director, with the approval of the Council, may pursue all legally permissible steps in order to obtain the property necessary for the right-of-way provided there is a demonstrated public need for the additional right-of-way. All costs associated with the dedication of such right-of-way, including all legal fees, shall be the responsibility of the applicant.

B. Water

Water system improvements sized for the development in accordance with the *Engineering Standards*, shall be extended to the property being developed. Water lines shall be extended to and across the full front, side, and/or rear boundaries of the property being developed where needed, as determined by the City Engineer. Additionally, where needed as determined by the Utilities Director, water lines sized in accordance with established criteria and protocols employed by the Utilities Division and/or an approved Utilities Master Plan adopted in support of the General Plan to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining lands.

C. Sanitary Sewer

Sanitary sewer system improvements sized for the development in accordance with the *Engineering Standards* shall be extended to the property being developed. Sewer lines shall be extended to and across the full front, side, and rear boundaries of the property being developed where needed, as determined by the City Engineer. Additionally, where needed as determined by the Utilities Director, sewer lines sized in accordance with established criteria and protocols employed by the Utilities Division and/or an approved Utilities Master Plan adopted in support of the General Plan to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining land.

D. Reclaim Water

Reclaim water improvements sized in accordance with the *Engineering Standards* shall be extended to new park or schools facilities in new subdivisions in which new parks and schools are required.

E. Drainage

Drainage improvements required for the development in accordance with the *Engineering Standards* and all applicable *City Stormwater Regulations*. When developments are required to perform a Drainage Impact Analysis (DIA) and the approved DIA identifies impacts to the public drainage system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved DIA, shall be

the sole responsibility of the applicant. Public drainage improvements are applicable to adjacent right-of-way and on-site based on the findings of required drainage reports, applicable stormwater master plans and General Plan improvements or other documents that clearly demonstrate the need for drainage facilities.

F. Franchise Utilities

All telephone, electric power, cable television, natural gas, or other wires or cables necessary to serve the development in accordance with the owning franchise requirements and the *Engineering Standards*.

G. Alley/Lane Improvements

When property access is necessary or proposed via an alley/lane, full width alley/lane improvements along the full property frontage in accordance with the *Engineering Standards*. Alley/lane improvements shall also be extended to the nearest public street if no improved alley or lane connection presently exists.

H. Flagstaff Urban Trails System Improvements

Full width trail improvements in accordance with the *Engineering Standards* through or along the full frontage of the property being developed along alignments indicated in the General Plan.

I. Traffic Control Related Improvements

When developments are required to perform a Traffic Impact Analysis (TIA) in accordance with the *Engineering Standards*, and the approved TIA identifies impacts to the public road system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved TIA, shall be the sole responsibility of the applicant.

J. Street Improvements

Street improvements shall be constructed to and across the full front, side and rear boundaries of the property being developed where needed, as determined by the City Engineer, as follows:

1. Any multi-residential or non-residential construction shall be required to construct a minimum 24-foot wide street to accommodate two-way traffic and emergency vehicles as well as if required, on-street parking or bike lanes for the full frontage(s) of the development property boundaries which abut existing or proposed public streets.
 - a. Street types adequate to serve the anticipated traffic volumes generated by the development and the projected neighborhood growth patterns resulting in future developments as may be contemplated under the existing General Plan or other approved land use documents will be required.

- b. If the property being developed is not adjacent to an existing improved public street, Subsection 2, below, shall apply.
- 2. Where the property being developed is separated from an existing improved public street by an unimproved section of public street, the applicant will be required to construct such connection as necessary to facilitate traffic to/from the development. The City may construct connecting street improvements thereby making the property being developed adjacent to an existing improved public street. If the City elects to construct the street improvements, it will construct the street improvements at a time that will coincide with the construction of the street improvements required of the property being developed.
- K. If the public improvement requirements imposed upon the development by the City are greater than those required to mitigate impacts of the subject development, and if at the time of development the City wishes to make improvements to its general public infrastructure capacities, the City will bear the additional cost(s) associated with the upgrading of capacities of those improvements. The limits of the City's participation shall be determined by the difference in the approved design and construction costs with and without mitigated capacity increases of those improvements.

(Section 10-30.50.060 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.50.070 Inspection and Acceptance of Public Improvements

- A. The City Engineer shall provide for inspection of required public improvements during construction to ensure their satisfactory completion.
- B. If the City Engineer finds upon inspection that any of the required public improvements have not been constructed in accordance with the *Engineering Standards* and the approved construction plans, the applicant shall be responsible for completing or replacing such improvements as to the specifications of the City.
- C. Final inspection of public improvements will be scheduled with the City Engineer prior to their acceptance.
- D. The City will not accept the required public improvements nor release any assurance until the development is accepted by the City Engineer. The City Engineer shall issue a letter of completion upon final acceptance.

10-30.50.080 Appeals

Any person, firm or corporation may appeal the dedication or exaction required as a condition of granting approval for the use, improvement or development of real property to an administrative hearing officer, in accordance with the appeal provisions established in Section 10-20.80.040 (Appeals of Dedications and Exactions).

Division 10-30.60: Site Planning Design Standards

Sections:

10-30.60.010	Purpose
10-30.60.020	Applicability
10-30.60.030	General Site Planning Standards
10-30.60.040	Natural Features and Site Drainage
10-30.60.050	Compatibility
10-30.60.060	Building Placement
10-30.60.070	Parking Lots, Driveways and Service Areas
10-30.60.080	Pedestrian and Bicycle Circulation Systems
10-30.60.090	Open Spaces, Civic Spaces and Outdoor Public Spaces
10-30.60.100	Private Street

10-30.60.010 Purpose

The purpose of this Division is to provide standards for development that reinforce the character of the neighborhoods, districts and corridors of the City. It is important that development within the City take into account several factors that are unique to the region, in addition to other required site design standards that promote more livable, sustainable communities.

10-30.60.020 Applicability

- A. The standards found within this Division are applicable to:
 - 1. All development within the City, except as listed below in Subsection D; and
 - 2. Projects involving Zoning Map amendments, Annexations, Conditional Use Permits, and Site Plan Reviews.
- B. Unless stated otherwise, these standards shall apply to all zones.
- C. The standards found in this division work in conjunction with the standards found in Chapters 10-40 (Specific to Zones) and Chapter 10-50 (Supplemental to Zones).
- D. Exemptions
The standards found within this division shall not apply to:
 - 1. Industrial uses not located in the Research and Development Zone;
 - 2. Any change of use of a building or property that does not affect site design or layout;
 - 3. Individual single-family dwellings. However, the standards shall apply to residential subdivisions.

(Section 10-30.60.020 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.030 General Site Planning Standards

Project siting has the greatest impact on how effectively sustainable development principles can be addressed. Careful planning, design, and construction enables new development to take advantage of Flagstaff's climate to reduce energy usage and costs, thereby providing long term economic sustainability as energy prices fluctuate. On the other hand, poor project siting and design can detrimentally impact the potential to harvest solar energy, create a less automobile dependent environment, and address economic and agricultural sustainability. The optimal layout of any project site requires an in-depth understanding of local context and completion of a detailed site analysis plan.

A site analysis plan is particularly important in Flagstaff, where widely varying terrain, scenic views, natural watercourses, preservation of existing vegetation, and relationships to existing development, especially residential development, must be considered in site planning. All development proposals shall to the maximum extent feasible demonstrate a diligent effort to retain significant existing natural features characteristic of the site and surrounding area.

Therefore, a completed site analysis plan must be included with an application for new development submitted to the Director. All new development proposals will be reviewed with respect to their response to the physical characteristics of the site and the contextual influences of the surrounding area. These should be considered early and throughout design development. Special attention should be given to maintaining the Urban Growth Boundary and proximity to sensitive areas as defined in the General Plan, such as Walnut Canyon or Picture Canyon.

The following items as illustrated below are essential components of a site analysis plan for a potential development site:

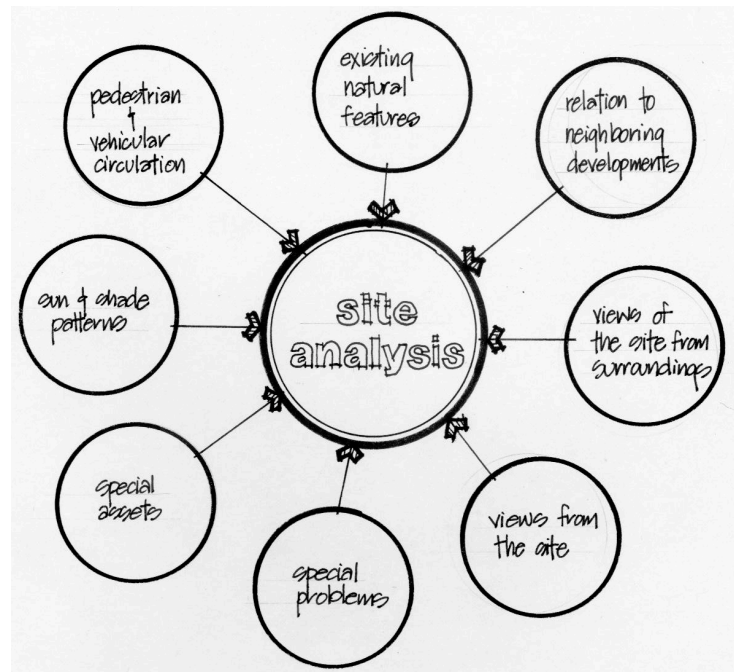


Figure A. Components of a Site Analysis Plan.

A. Topography of the Site

The slope of a parcel affects the cost and complexity of construction and should be understood in order to minimize site disturbance associated with site grading.

1. A plan indicating areas of slope shall be provided in accordance with the standards established in Section 10-50.90.050 (Steep Slopes):
 - a. 0 to 16.99%;
 - b. 17 to 24.99%;
 - c. 25 to 34.99%; and
 - d. 35% and steeper.
2. On lots with slopes 17 percent or greater, building foundation shall step to follow the slope of the site to the maximum extent feasible.

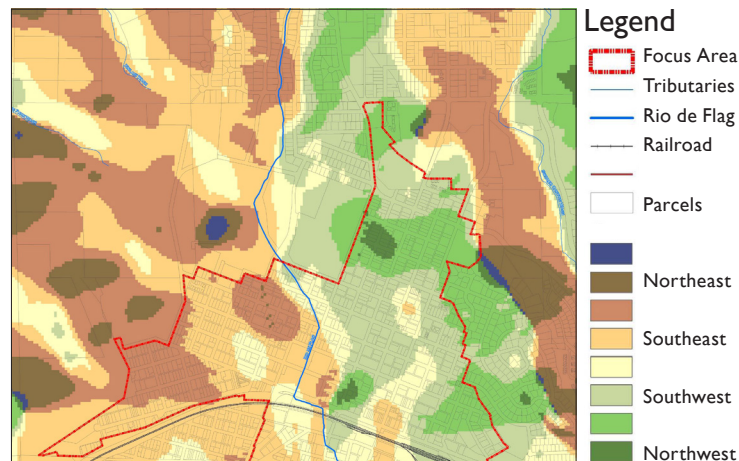
B. Solar Orientation or Aspect

Figure B. Diagram showing areas with high potential for using solar power and solar water heating based on the orientation of slopes.

1. Flagstaff has an annual average of 288 days in which there is good solar energy potential. The abundant number of days with good solar energy potential provides the opportunity to power, heat, and light buildings from a renewable energy source. Development in Flagstaff shall consider the following:
 - a. The ability of development to take advantage of the sun's energy to:
 - (1) Passively heat buildings;
 - (2) Provide natural light;

- (3) Harvest solar power; and
 - (4) Heat water.
- b. Development on lots and slopes that have good solar energy potential should consider both solar power and solar water heating as alternative energy solutions.
- 2. The use of solar collectors for the purpose of providing energy for heating or cooling is permitted in all zones, whether as part of a principal structure or as an accessory structure.
- 3. The forest resources required to be protected within a new development site (See Division 10-50.90 (Resource Protection Standards)) that are located on the south or west side of any proposed buildings may be removed to ensure that the buildings, as well as any associated solar collectors, maximize their solar access potential, provided:
 - a. It can be demonstrated to the satisfaction of the Director that such tree removal is essential to the solar efficiency of the building(s) and any associated solar collectors; and,
 - b. There are additional forest resources on the site to compensate for the forest resources removed. If there are insufficient forest resources on the site to allow for such tree removal, an additional deciduous tree (minimum 2.5-inch caliper) may be planted on the south or west side of the building for each existing ponderosa pine tree removed.
- 4. Within a multi-building development approved after the effective date, new buildings or additions to buildings shall be situated and designed to ensure that, where feasible, the solar energy potential of other buildings within the development is not impeded or compromised.

C. Existing or Native Vegetation Types and Relative Quality

- 1. Maintaining existing natural vegetation that is in good health can assist a development in fitting into the environment and context, and enhance property values.
- 2. Planting native vegetation supports the local ecology and reduces the demand for water. Benefits of using native vegetation include:
 - a. Native vegetation takes full advantage of rainfall with no additional water needed after plants have acclimatized to the site;
 - b. Generally require less maintenance and no fertilizers; and,
 - c. Increase the habitat for native flora and fauna.
- 3. See Division 10-50.60 (Landscaping Standards) for more standards.

D. View Corridors

An analysis of the site to determine view corridors to and from the proposed development will allow for good views to be preserved, framed, and/or incorporated into the design. Development can be oriented away from or screened from less desirable views. To the maximum extent feasible views across or through other parcels shall be maintained.

E. Climatic Considerations

1. The prevailing wind patterns should be understood in order for a proposed development to take advantage of or screen buildings from the prevailing wind.
 - a. Applicants can take advantage of prevailing wind to naturally ventilate buildings.
 - b. Building orientation and the placement of trees and landscaping can be designed to screen portions of the site from strong prevailing winds.
2. Precipitation patterns and frequency should be understood in order to properly design development to accommodate snow loads and periods of low precipitation. Roofs with pitches of a six-inch rise over twelve-inch run or higher are appropriate for Flagstaff's snow loads. See incentives for using higher pitched roofs found in Division 10-50.30 (Building Height Standards).

F. Subsurface Conditions

Soil and foundation conditions are one of the most important considerations in evaluating a site. An understanding of the soil and geology can help inform decisions on appropriate foundation types, stormwater management solutions and landscaping options.

G. Drainage Swales and Stream Corridors

1. Drainage swales and stream corridors should be identified and located to ensure that disturbance to these areas is minimized.
2. Water run off from proposed development should be accounted for and should be detained on site to improve water quality and reduce the risk of flooding down stream. See the *City of Flagstaff Stormwater Management Design Manual* and *City of Flagstaff LID Manual* for standards.

H. Built Environment and Land Use Context

1. The context of the site should be taken into account in the design of the new development. Key contextual influences that should be identified, analyzed, and considered in the planning process include:
 - a. Land use and site organization in relation to building form, character and scale of existing and proposed development;

- b. Sensitivity and nature of adjoining land uses in order to avoid unreasonable noise, odors, or traffic impacts;
 - c. Location of property boundaries and setbacks;
 - d. Location of adjacent roads, driveways, off-street vehicular connections, pedestrian ways, access points, bicycle facilities, and easements;
 - e. Locations of existing or proposed transit facilities;
 - f. Existing structures and other built improvements;
 - g. Prehistoric and historic sites, structures, and routes, and
 - h. Other features of the site and/or surrounding area that may be impacted by or may impact the proposed development.
2. Developments shall adhere to the standards in Section 10-30.60.090 (Open Spaces, Civic Spaces, and Outdoor Public Spaces) and Section 10-30.60.080 (Pedestrian and Bicycle Circulation Systems).

(Section 10-30.60.030 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.040 Natural Features and Site Drainage

The standards that follow are intended to ensure that site work is planned to protect the natural features of a development site and to ensure that natural features are incorporated as an amenity into the overall site plan.

A. Applicable to All Zones

1. Topography

- a. The extent and visual impacts of cut and fill on a site shall be minimized, and large grade changes must be divided into a series of benches and terraces, where feasible.
- b. Roads and driveways shall follow existing contours, where feasible.
- c. Building foundations shall be stepped so that finish floor elevations mimic natural grade. If stepping the finish floor is not feasible, cut slopes must be disguised with appropriate placement of the building and/or the placement of screen walls and landscape buffers.
- d. Retaining walls shall blend with the natural features of the site and shall be constructed with native rock or masonry that conveys a scale, color, and texture similar to that of traditional rock walls, such as split-face block or scored and textured concrete.

- e. The height of exposed retaining walls and retaining walls visible from the public right-of-way shall be limited to no more than five feet where feasible. Where greater heights are needed to retain cut or fill conditions, a series of terraced or stepped walls shall be used or a building shall be placed to screen the cut slope so it is not visible from public rights-of-way.
- f. The width of a retaining wall terrace must be no less than three feet.

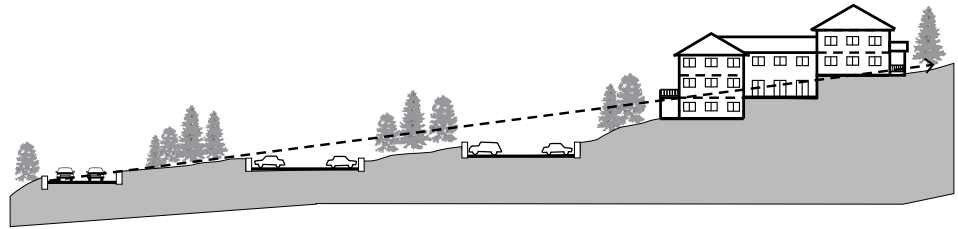


Figure A. Minimize the extent of the cut and fill.



Figure B. Building designed with stepped foundations to match natural grade.



Figure C. Step buildings to mimic natural grade.

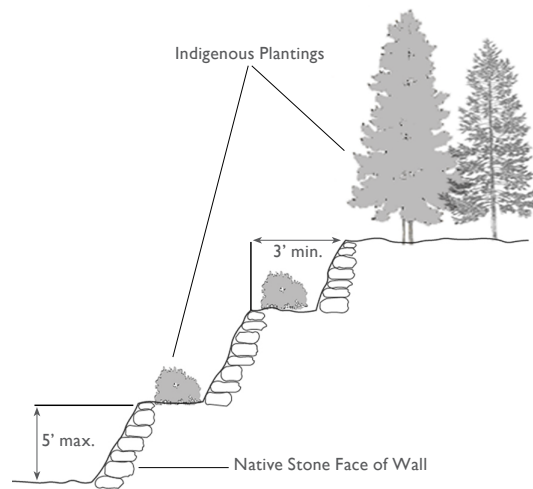


Figure D. Retaining walls.



Figure E. A building can screen a tall cut slope.

2. Site Drainage

The City of Flagstaff Stormwater Management Design Manual and City of Flagstaff LID Manual provide standards for the protection of natural drainage systems as well as standards for stormwater runoff and the design of detention and retention facilities.

(Section 10-30.60.040 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.050 Compatibility

Compatibility is important to ensure that the characteristics of different uses, activities or designs allow them to be located near or adjacent to each other in a harmonious manner. Compatibility does not mean “the same as.” Rather, it refers to how well a new development is sensitive to the character of existing development. The following basic design elements shall be considered when assessing the compatibility of a new development project which is subject to approval of a Conditional Use Permit or for which a Zoning Map Amendment is requested relative to adjacent existing development:

A. Patterns of Development

Patterns of development include characteristics such as the streetscape, site relationships, signage, and landscape features.

1. Streetscape

The streetscape of a property includes the nature and character of the street, alleys, crossings, sidewalks, walls, fences, bicycle racks, street furniture, light fixtures, landscaping, signage, and other features. Neighborhoods often have similar and consistent streetscapes.

2. Site Relationships

This refers to the similarity of arrangement of structures relative to the street, each other, and adjacent properties, including similar setbacks, distances between buildings, lot coverage, open space or yards, parking and vehicle access patterns, and pedestrian access patterns.

3. Signage

The quantity and appearance of all signs, including size, position, attachment, and the materials, textures, and colors used, shall be in keeping with the collective characteristics of the context area.

4. Landscaping Features

Plantings and ornamental features shall continue that of the context and should not obscure or cover significant architectural details or features. The extent of landscaping shall be consistent with that of the context area.

B. Scale

Scale refers to similar or harmonious proportions, especially overall height and width, but also includes the visual intensity of the development, the building massing, and the shapes and sizes of the various design elements, such as the windows and doors.

1. Height

Respecting the overall existing height of a resource is critical to prevent new work from dominating existing work.

2. Proportions

Traditional structures commonly have established proportions for various parts of the structure and for the arrangement of the parts. The specific proportions can vary depending on specific architectural solutions, but the existing proportions shall be observed.

3. Building Massing

Massing refers to the volumes and sub-volumes that make up the entire structure. Larger structures can typically be made more compatible with smaller structures by carefully breaking up the building massing into smaller sub-volumes, creating the appearance of a grouping of small structures.

C. Continuity

Continuity encompasses patterns of development and scale, but also

Architectural Character



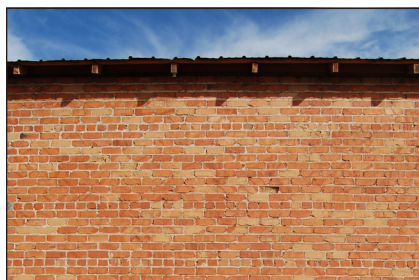
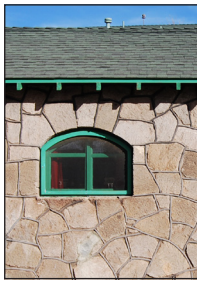
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Texture and Materials



characteristics such as site development, building forms, textures, materials, details, and colors.

1. **Site Development**

The development of sites includes paving, pedestrian access, walls, fences, light fixtures, open space or yards, landscaping, signage, and other elements. Similarity or cohesiveness in basic design elements for buildings and structures is required for compatible site design.

2. **Building Forms**

Building forms, including roof forms, commonly have some variation. New development shall be in harmony with or use the predominant forms of the context area.

3. **Texture**

Texture refers to the surface quality of structures, especially the shadow patterns. Shadows are traditionally created by the surface materials themselves having some dimension, but also by adding architectural details such as trims and ornaments and recessing of windows and doors. Traditional structures commonly have changes in the surface materials to create shadow patterns, commonly with rougher textures placed lower on the structure.

4. **Materials**

Materials make up and cover the surface of a structure and include the various structural and architectural details, trims, and ornaments, as well as foundations, walls, decking, and roofing. New development shall use or be in harmony with the predominant materials of the context area.

5. **Details**

Structural and architectural details shall be designed so as to make new work appear similar to existing work. Modern details, often needed by modern building codes, should be obscured or designed to minimize visual obtrusiveness.

6. **Colors**

Color choice provides one of the best opportunities to enhance cohesiveness. Color schemes shall be developed in accordance with the specific architecture and the context area. In general, restraint should be used in the number of colors. Body colors should be subtle, and trim colors should provide contrast or definition to the body color. Natural materials, such as masonry and wood shingles, should not be painted.

(Section 10-30.60.050 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.060 Building Placement

Building placement on a development site is important because it establishes the form and pattern for the development along a street, which in turn affects the human-scale of a site layout, its economic vitality, and how well the site functions with the connections between buildings, parking areas, and adjacent development.

- A. Building-forward design solutions that ensure the building front is located at or near the sidewalk edge are required. Display windows and other architectural features that provide interest to pedestrians shall also be incorporated into the design. See also Section 10-50.20.030 (Architectural Standards) with specific reference to the Location and Orientation of Building Entrances and Windows Subsections.



Figure A. A good example of a building placed close to a public street with strong pedestrian connections between the sidewalk and building entrances.



Figure B. A building "near" the sidewalk with strong pedestrian connectivity.

- B. When buildings are located at or near a sidewalk edge, the following standards apply to allow flexibility with site layout:
1. Required building foundation landscaping (See Section 10-50.60.050 (Landscaping Standards)) is not required along a street frontage and only peripheral buffer landscaping is required;
 2. Forest resource protection standards (See Section 10-50.90.060 (Forest)) may be reduced by 5 percent; and
 3. When there is a requirement for both open space (See Section 10-40.30.030 (Residential Zones)) and civic space (See Section 10-30.60.090 (Open Spaces, Civic Spaces and Outdoor Public Spaces)) on a development site, the civic space will be counted towards the open space requirement.
- C. The primary entrance to a building shall be located to face a street or be connected to a street through the design of a building entry zone. The primary entrance to a building may also face a plaza or pedestrian way. When it is not possible to locate the primary entrance to face the street, plaza, or pedestrian way, a secondary entrance should be designed to connect to these public spaces.

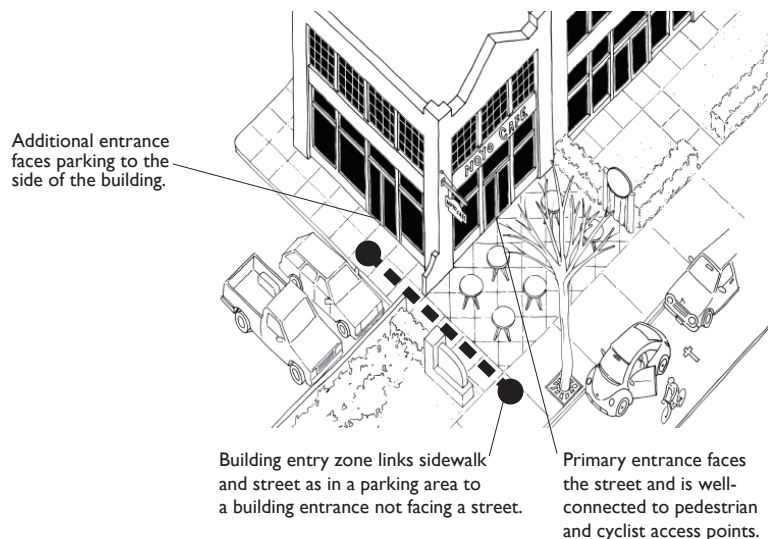


Figure C. Locate the primary building entrance to face the street or the building entry zone.



Figure D. A building entry zone connecting a parking area to the building entry.

- D. If it is not feasible to locate a building at the sidewalk edge (e.g. to accommodate a drive through lane), a screen wall designed to match the building materials of the primary building on the site or similar landscape feature is required. See Section 10-40.60.160 (Drive-through Retail or Service Facility). If the prevailing building placement of a block is characterized by building forward design, then the provisions of this Subsection shall not apply.

(Section 10-30.60.060 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.070 Parking Lots, Driveways and Service Areas

A. Applicable to All Zones

1. Parking lots shall meet the standards established in 10-50.80.080 (Parking Spaces, Lot Design and Layout).
2. Parking lots shall be designed to the maximum extent feasible to connect parking lots on adjacent lots.
 - a. Avoid parallel road conditions, in which two abutting properties have separate service roads.
 - b. Provide cross-property easements to share driveways and reduce the need for additional curb cuts to the maximum extent feasible.
3. To the maximum extent feasible, parking lots on a primary frontage shall be completely located to the side or behind a building rather than in front to reduce the visual impact of the parking lot.
4. Parking areas shall be screened from view of public ways with landscaping (i.e., berm, low decorative wall, evergreen hedge).
5. Parking areas over one acre shall be divided into smaller lots with planted buffers between them to minimize the perceived scale of the parking lot.
6. Drive-through aisles and stacking areas shall meet the design standards established in Section 10-40.60.160 (Drive-through Retail or Service Facility).
7. Developments shall minimize the number of curb cuts onto a public street along a property edge by sharing driveways with an adjacent property to the maximum extent feasible.
8. Direct vehicular access via roads or driveways shall connect overall site circulation patterns with adjacent parcels.
9. Driveways that connect to parking areas or service areas shall not be located between the front of a building and the property line adjacent to the public right-of-way.
10. Service entrances and utility service boxes (e.g., electric, gas, cable, telephone) shall be screened with walls or plantings.
11. Service areas shall be positioned to minimize conflicts with other adjacent uses.
12. Visual impacts of a service area canopy shall be minimized.

B. Applicable to Non-Transect Zones

The following standards are additional standards that apply in non-transect zones.

1. In developments larger than 20,000 square feet or more than 50 units, driveways and entry roads shall use distinctive landscape elements to clearly define gateways.
2. Developments shall minimize the width of internal roadways to the maximum extent feasible. Where a range of street widths are available and appropriate, the narrowest street section shall be selected.
3. Developments shall provide a continuous internal circulation system within a property that enhances connections to external circulation systems.

(Section 10-30.60.070 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.080 Pedestrian and Bicycle Circulation Systems

The standards that follow are intended to encourage walking, biking and other non-motorized forms of transportation in a safe and convenient environment to, from, and within a site or subdivision.

A. Applicable to All Zones**1. On-Site Connections**

A convenient well-connected network of on-site pedestrian and bicycle circulation systems creates a more inviting pedestrian environment and encourages using alternatives to the automobile within a development.

- a. On developments larger than 20,000 square feet or more than 50 units, pedestrian and bicycle ways shall be designed to be visible from and link to the various functions and spaces in a coordinated system.
- b. On developments smaller than or equal to 20,000 square feet or 50 units, pedestrian and bicycle ways shall be designed to be visible from and link to the various functions and spaces in a coordinated system to the maximum extent feasible.
- c. Functions to be linked include, but are not limited to:
 - (1) Building entrances;
 - (2) Transit stops; and/or
 - (3) Outdoor plazas, courtyards and open space.

2. Off-Site Connections

A network of off-site circulation connections encourages using alternatives to the automobile to and from a development.

- a. Pedestrian and bicycle ways shall be designed to:
 - (1) Provide a direct connection to adjoining public sidewalks;
 - (2) Provide an internal walkway that will link to those of adjacent properties;
 - (3) Provide connections to the Flagstaff Regional and Urban Trails Systems and other regional trails when they abut a property or are within 100 feet; and,
 - (4) Provide connections to transit stops, where applicable.
- b. Where appropriate, equestrian connections shall be designed and provided to National Forest lands and other open space areas.

3. Design

The design of pedestrian and bicycle circulation systems shall follow the standards established below.

- a. A Flagstaff Urban Trail System (FUTS) trail may be substituted for a sidewalk or pedestrian way in cases where the Director determines the function is interchangeable and equally accessible.
- b. Within a parking lot greater than 8,000 square feet, pedestrian ways shall provide a clear, continuous, pedestrian route with landscaping, fences, and pedestrian-scaled lighting to building entrances.
- c. Bicycle racks shall be provided in accordance to Section 10-50.80.050 (Bicycle Parking).
- d. Pedestrian and bicycle ways shall use materials that provide traction and facilitate general maintenance and snow removal.

B. Applicable to Non-Transect Zones

The following standards are additional standards that apply in non-transect zones.

1. In developments larger than 20,000 square feet or more than 50 units, pedestrian and bicycle ways shall use distinctive landscape elements to clearly define gateways.
2. Pedestrian and bicycle ways shall be designed using decorative paving, such as colored concrete, stamped concrete, signs and landscaping to identify the crossing point.

3. On sidewalks narrower than eight feet, street-side sidewalks shall be separated from the street with a minimum five-foot-wide parkway strip.
4. On sidewalks wider than eight feet where no parkway strip is provided, tree wells with a minimum four foot by four foot dimension shall be provided.

C. Applicable to Transect Zones

The following standards are additional standards that apply in transect zones.

1. Pedestrian and bicycle ways shall be designed using decorative paving, such as colored concrete, stamped concrete, striping and/or signs to identify the crossing point.
2. Public sidewalks shall conform to the standards set forth in Chapter 10-60 (Specific to Thoroughfares).

10-30.60.090 Open Spaces, Civic Spaces and Outdoor Public Spaces

A. Applicable to All Zones

1. Location

Open spaces, civic spaces and outdoor public spaces shall be located to:

- a. Be shared by adjoining buildings, to the maximum extent feasible;
- b. Visually or physically connect with open space on adjacent properties;
- c. Connect the entrances of multiple buildings on a site;
- d. Integrate and preserve natural features to the maximum extent feasible;
- e. Orient to views of activities, architectural landmarks, or natural features to provide visual interest;
- f. Enhance existing vegetation and landscaping, particularly mature ponderosas;
- g. Preserve and/or enhance major drainage ways; and
- h. Include site and regional stormwater detention facilities, when such facilities are designed as an integral component and amenity.

2. Design

In order to create user-friendly spaces and to encourage use by the public, open spaces, civic spaces and other public spaces shall incorporate all of the following features to the maximum extent feasible:

- a. Plan site drainage to lead runoff away from active use areas;
- b. Orient open space to face south and west for solar access to extend its use throughout the year;
- c. Create a sense of enclosure for outdoor seating areas with landscaping, topography, and/or buildings and structures;
- d. Create a consistent palette of streetscape furnishings, such as benches, landscaping, shelter, and trash receptacles;
- e. Locate streetscape furnishings in clusters or nodes;
- f. Incorporate Low Impact Development (LID) standards in areas that are conducive to LID; and
- g. Minimize grading and land disturbances.

B. Applicable to Non-Transect Zones

The following standards are additional standards that apply in non-transect zones.

1. Civic or Public Space Requirement

- a. Non-residential developments larger than 20,000 square feet in gross floor area shall provide a minimum of five percent of the site as an outdoor pedestrian amenity space that serves as a transition space between a parking area and the entrance(s) to a building. This outdoor pedestrian amenity space may include a landscape oasis area as defined in Section 10-50.60.050.C (Oasis Allowance), structures providing protection from the weather, benches, tables, or other pedestrian friendly features.
- b. Residential developments with 50 or more dwelling units shall provide a minimum of five percent of the site in civic spaces that are either privately held and open to the public or publicly owned and set aside as a civic space. Appropriate civic types are established in Chapter 10-70 (Specific to Civic Spaces).
- c. Development sites that provide civic spaces are allowed the following:
 - (1) A five percent reduction of on-site forest and/or slope resource protection standards as required by Division 10-50.90 (Resource Protection Standards) is permitted when on-site design conforms to the *Flagstaff Area Open Spaces and Greenways Plan* and public non-motorized pedestrian and bicycle access is included when applicable.
 - (2) A 2.5 percent reduction of on-site forest or slope resource protection standards as required by Division 10-50.90 (Resource Protection

Standards) is permitted when resources are consolidated with adjacent properties and it can reasonably be determined that the resources on the adjacent property will be protected.

- (3) A five percent reduction in required on-site landscaping as required by Division 10-50.60 (Landscaping Standards) is permitted when public space is provided on site.

C. Applicable to Transect Zones

The following standards are additional standards that apply in transect zones.

1. Location and Size

Open spaces, civic spaces and outdoor public spaces shall be located and sized according to the standards established in Division 10-30.80.050 (Allocation of Transect Zones) and Division 10-30.80.060 (Civic Spaces and Buildings).

2. Design

Open spaces, civic spaces and outdoor public spaces shall be designed according to the standards established in Chapter 10-70 (Specific to Civic Spaces).

(Section 10-30.60.090 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.60.100 Private Streets

A. Applicability

1. The following standards shall apply in Non-Transect Zones and T1 Natural and T2 Rural Transect Zones.
2. Private streets are not considered driveways or parking aisles, and driveways or parking aisles shall not be considered private streets. See Section 10-50.80.080 (Parking Spaces, Lot Design and Layout) for regulations pertaining to driveways and parking aisles, as well as applicable sections of the *Engineering Standards*.
3. Private streets are permitted within all residential subdivisions but are not allowed on those streets that provide access to other parcels of land. Private streets shall be designed and constructed to the standards for public streets as established in the *Engineering Standards*. Manufactured home parks are exempt from this requirement.

B. Private Road Maintenance

All developments containing private streets must adopt deed restrictions or covenants that require the establishment and membership of all property owners in a homeowners' association whose purpose shall include the maintenance of the private streets within the development.

Division 10-30.70: Residential Sustainable Building Standards

Sections:

10-30.70.010	Purpose
10-30.70.020	Applicability
10-30.70.030	Density Bonus
10-30.70.040	Minimum Standards
10-30.70.050	Development Agreement

10-30.70.010 Purpose

This Division implements the City's desire to foster the production of energy and resource efficient residential buildings and the expansion and installation of renewable energy technologies. The City recognizes that energy resources are scarce and valuable, and that one of the ways to develop a truly sustainable community is to encourage the development of sustainable buildings. The standards in this Division are interim requirements until such time as the City's Building Code or Energy Conservation Code is amended with standards that meet or outperform the requirement for energy efficiency as provided in Section 10-30.70.040.D below.

10-30.70.020 Applicability

This Division may be applied to new construction and remodeling of the following types of residential developments:

- A. All residential developments constructed under Category 3 (Permanent Affordability and Residential Sustainable Building) of Table 10-30.20.050.A (Percentage of Affordable Units and Corresponding Density Bonus);
- B. All residential subdivisions or multi-family residential developments.

10-30.70.030 Density Bonus

Density bonuses for new residential developments shall be applied as follows:

- A. **Category 3 (Permanent Affordability and Residential Sustainable Building)**
Affordable residential developments shall apply the density bonus established in Category 3 of Table 10-30.20.050.A (Percentage of Affordable Housing Units and Corresponding Density Bonus) as

permitted in Section 10-30.20.050 (Density Bonus) to guarantee that at least a portion of the residential units will be permanently energy efficient;

B. Market Rate Residential Units

For market rate residential units the density bonus established in Table A. shall apply:

Table 10-30.70.030.A: Percentage of Housing Units Meeting HERS 50 and Corresponding Density Bonus	
Market Rate Housing Units	
% of Units Meeting HERS 50 Standard	% of Density Bonus
25%	10%
50%	15%
75%	20%
100%	25%

10-30.70.040 Minimum Standards

In order to qualify for density bonuses established in Section 10-30.70.030 (Density Bonus) the following minimum prerequisites (Paragraphs A through D) shall be satisfied:

A. Water Resource Protection

Each new development shall apply at least one of the following:

1. The landscape design for the development shall not include an oasis zone (hydrozone 1) as otherwise permitted in Section 10-50.60.050.C (Oasis Allowance) and Section 10-50.60.060 (Hydrozones); or,
2. Multi-family residential developments of 20 or more units shall be connected to the City's reclaimed water system for use in irrigation; or,
3. Housing units shall be dual plumbed so that rainwater captured in an active rainwater harvesting system can be used in addition to potable water subject to applicable State, County and City standards; or,
4. Housing units shall be dual plumbed for the use of greywater in toilets subject to applicable State, County and City standards.

B. Transportation/Air Quality

Each new development shall apply at least one of the following:

1. The development site is located within at least 1/4 mile of a bus stop; or,
2. The development is located within at least 1/4 mile of a FUTS trail or connected to it; or,
3. Residential electrical systems are designed for electric vehicle charging.

C. Waste Reduction During Construction

Each new development shall have a written solid waste program that includes at least two of the following three elements:

1. A plan for the recycling or reuse of all paper, cardboard, plastics, and metals;
2. A plan for the recycling or reuse of all lumber scraps so that they are diverted from the landfill; and,
3. A plan for the diversion of all masonry, gypsum and cementitious materials so that they are diverted from the landfill.

D. Energy Efficiency

1. In order to qualify for the density incentive established in Table 10-30.20.050.A (Percentage of Affordable Housing Units and Corresponding Density Bonus) an efficiency standard that is 50 percent of the HERS Reference Home rating established in the 2003 International Energy Conservation Code as measured on the HERS (Home Energy Rating System) index shall be met. Solar collectors, including solar thermal and photovoltaic systems may be installed to ensure that the residence qualifies.
2. An applicant applying the HERS rating system to receive the density bonuses allowed under Section 10-30.70.030 (Density Bonus) shall obtain independent third-party verification that the minimum HERS rating has been achieved before the density bonus is applied, to the satisfaction of the Director and the Building Official.

(Section 10-30.70.040 amended by Ord. 2016-07, adopted Feb. 16, 2016)

10-30.70.050 Development Agreement

All applicants seeking to implement the Residential Sustainable Building and affordable housing density bonuses allowed in Table 10-30.20.050.A (Percentage of Affordable Housing Units and Corresponding Density Bonus) shall enter into a development agreement with the City of Flagstaff. Refer to Section 10-20.40.060 (Development Agreements).

10-30.80: Traditional Neighborhood Community Plans

Sections:

10-30.80.010	Purpose
10-30.80.020	Applicability
10-30.80.030	Incentives
10-30.80.040	Traditional Neighborhood Community Plans (TNCP)
10-30.80.050	Allocation of Transect Zones
10-30.80.060	Civic Spaces and Buildings
10-30.80.070	Density
10-30.80.080	Affordable Housing
10-30.80.090	Thoroughfares
10-30.80.100	Special Requirements
10-30.80.110	Pre-Existing Conditions
10-30.80.120	Submittal Requirements

10-30.80.010 Purpose

The purpose of this Division is to provide standards for the application of transect zones to reinforce or create neighborhoods based on the rich tradition of walkable urbanism found in Flagstaff.

Traditional Neighborhood Community Plans (TNCP) are intended to create urban environments with a mix of housing, civic, retail and service choices within a compact, walkable environment. These walkable environments are defined by an area encompassed within a one-quarter to one-half-mile radius. This distance is the average most pedestrians will walk before they consider other modes of transportation. This Division covers both new Traditional Neighborhood Community Plans applicable to greenfield developments and infill Traditional Neighborhood Community Plans applicable to infill/redevelopment areas.

10-30.80.020 Applicability

- A. The standards found within this Division shall apply to all parcels and developments within the City of Flagstaff which:
1. Are greater than 10 contiguous acres for infill Traditional Neighborhoods or greater than 40 contiguous acres for new Traditional Neighborhoods;
 2. Intend to develop under transect zone standards;
 3. Are an existing infill community or character district identified by the Council for redevelopment; or,

4. Are a smaller site that may be rezoned to the traditional neighborhood district if the Council determines that:
 - a. Section 10-30.80.010 (Purpose) of the Traditional Neighborhood Community Plan can still be achieved on the smaller property or by including surrounding adjacent development into the Traditional Neighborhood Community Plan;
 - b. The development will provide an appropriate and logical extension of an existing transect zone or Traditional Neighborhood Community Plan that was developed in compliance with this Section; or,
 - c. Development in compliance with this Section will more appropriately respond to sensitive environmental conditions, surrounding community character or issues of consistency with the General Plan than the City zoning regulations would otherwise allow.
- B. The standards found in this Division shall work in combination with the standards found in Division 10-30.60 (Site Planning Design Standards), Division 10-40.40 (Transect Zones), Division 10-50.110 (Building Types), Chapter 10-60 (Specific to Thoroughfares), Chapter 10-70 (Specific to Civic Spaces) and City Code Title 11, Division 11-20 (Subdivision Design Standards).

10-30.80.030 Incentives

- A. To encourage the use of the Traditional Neighborhood Community Plan and transect zones, the Council shall grant the following incentives, to the extent authorized by State law:
 1. With an application for a Traditional Neighborhood Community Plan, separate review of a conceptual plat is no longer necessary, as it will be combined with the review for the Traditional Neighborhood Community Plan.
 2. An application for a preliminary plat and regulating plan with its associated Form-Based Code may be considered together. This has the advantage of reducing the amount of time required for project review and reduces otherwise applicable fees.
 3. A request for rezoning may occur concurrent with the request for a General Plan amendment to the Traditional Neighborhood or Mixed Use land use designation.
 4. Following approval of the Traditional Neighborhood Community Plan, all applications for site plan and architectural review shall be reviewed and processed through the Director subject to the reduced fees established in the Appendix 2 (Planning Fee Schedule).

5. Reductions in the natural resources calculations for forest resources shall comply with the provisions of Section 10-50.90.060 (Forest).

10-30.80.040 Traditional Neighborhood Community Plans (TNCP)

A. Applicable to All TNCPs

1. Before planning and design commences, a comprehensive site analysis examining a site's physical properties, amenities, special opportunities and constraints, character, and neighboring environment is required. See Section 10-30.60.030 (General Site Planning Standards).
2. TNCPs shall be composed of one or more pedestrian sheds. Pedestrian sheds include:

- a. **Standard Pedestrian Shed**

A pedestrian shed that is based on a one-quarter mile (1320 feet) radius around a node. Standard pedestrian sheds are useful in planning neighborhoods and help provide an understanding of how far the typical pedestrian might leisurely walk in five minutes. See Figure A below.



Figure A. Standard Pedestrian Shed

b. **Linear Pedestrian Shed**

A pedestrian shed that is based on a one-quarter mile (1320 feet) radius around a series of block lengths. Linear pedestrian sheds are useful in planning neighborhood main streets or neighborhoods with multiple nodes. The linear pedestrian shed helps provide an understanding of how far the typical pedestrian might leisurely walk in five minutes. See Figure B below.



Figure B. Linear Pedestrian Shed

3. The design and layout of TNCPs shall respond to the existing conditions of the site, adjacent developments, connecting thoroughfares, natural features and man-made features identified in the comprehensive site analysis found in Section 10-30.60.030 (General Site Planning Standards).
4. The site of any TNCP may be smaller than its associated pedestrian shed.
5. TNCPs shall allocate transect zones from Division 10-40.40 (Transect Zones), civic spaces from Chapter 10-70 (Specific to Civic Spaces), and densities within each pedestrian shed as specified in Section 10-30.80.050 (Allocation of Transect Zones) and Section 10-30.80.070 (Density).

6. Remnants of the site outside the pedestrian sheds shall meet the following requirements:
 - a. Remnant areas outside of a pedestrian shed shall be assigned transect zones, civic spaces or special districts; and,
 - b. If the remnant areas assigned as T3, T4 and T5 transect zones exceed 35 acres, an additional pedestrian shed shall be created to encompass these remnant areas.
7. TNCPs shall be detailed with any applicable special requirements described in Section 10-30.80.100 (Special Requirements).
8. TNCPs shall include a regulating plan consisting of one or more maps and/or descriptive narratives showing the location of the following:
 - a. Transect zones;
 - b. Civic spaces;
 - c. Thoroughfare network;
 - d. Non-transect zones, if applicable; and/or,
 - e. Special requirements, if applicable.
9. TNCPs shall layout the thoroughfare network according to the provisions of Chapter 10-60 (Specific to Thoroughfares) of this document and the *Engineering Standards*.

B. Applicable to New TNCPs

1. Maximum Size of Pedestrian Shed

- a. Individual standard pedestrian sheds shall be no more than 160 acres.
- b. Linear pedestrian sheds shall be no more than 200 acres.

2. Mix of Building Types

- a. In T3 Neighborhood Zones a minimum of five percent of buildings shall not be single-family building types.
- b. In the T4 Neighborhood Zones a minimum residential mix of three building types shall be required, see Division 10-50.110 (Building Types) for a complete list of building types.
- c. No single building type may represent more than 60 percent of the total number of buildings.

- d. Building types shall be dispersed throughout the zone and shall not be clustered, as illustrated in Figure C.

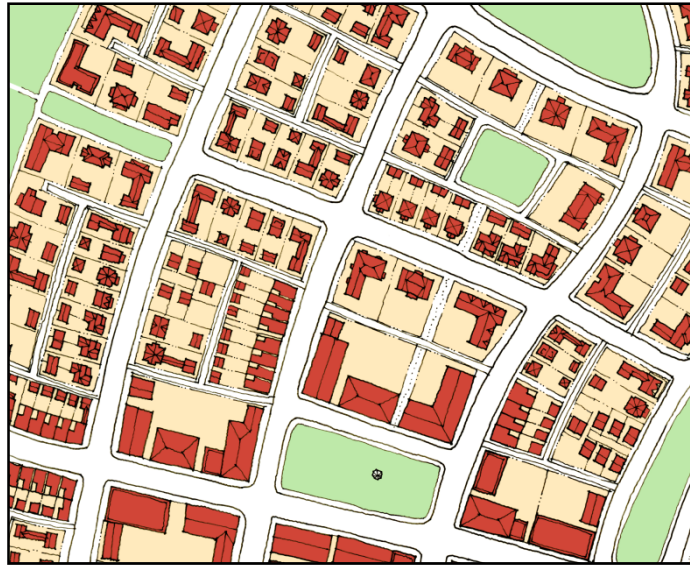


Figure C. An Example of a Mix of Building Types and Lot Sizes in a Neighborhood

3. **Mix of Lot Sizes**

a. **Applicable to T3 Zones**

- (1) Pedestrian sheds shall have no less than three lot sizes varying by a minimum of five feet in width.
- (2) Blocks shall be composed of a minimum of two different lot sizes varying by a minimum of five feet in width.

b. **Applicable to T4 Zones**

- (1) Pedestrian sheds shall have no less than two lot sizes varying by a minimum of five feet in width per building type.
 - (2) Blocks shall be composed of a minimum of two different lot sizes varying by a minimum of five feet in width.
4. Land appropriate for dedication to the public, such as areas of steep slope or floodplains, shall be permanently allocated to a T1 Natural or T2 Rural Zone. The Director may recommend, and the Council may approve, a greater percentage of the site be allocated to a T1 Natural or T2 Rural Zone based upon existing site conditions, such as topographical constraints, existing tree resources, or impacts to adjacent open space.

5. TNCPs shall include a set of architectural design standards prepared in accordance with the requirements of Section 10-30.80.120 (Submittal Requirements).

C. Applicable to Infill TNCPs

1. An infill TNCP shall be an urbanized area structured as part of a pedestrian shed, oriented around one or more existing or planned common destinations. Common destinations include:
 - a. Civic uses; and/or,
 - b. Retail or service uses in a walkable urban environment.
2. The edges of an infill TNCP shall blend into adjacent neighborhoods and/or downtown through consistency of land uses and building forms and without buffers, except where:
 - a. Topographic constraints limit connectivity;
 - b. Lot size varies from the infill TNCP; or,
 - c. Block size limits the ability to connect.
3. Mix of Building Types
 - a. In the T4 Neighborhood Zones, the infill TNCP shall set the minimum number of different building types and shall set the maximum percentage any one building type that may represent of the overall number of buildings.
 - b. A minimum of three residential building types based on exemplary existing buildings is recommended. See Division 10-50.110 (Building Types) for the complete list of building types. In addition, it is recommended that no single building type represent more than 60 percent of the total number of units.

10-30.80.050 Allocation of Transect Zones

- A. Infill TNCPs shall assign and map transect zones to each pedestrian shed based on a survey of exemplary conditions identified within the community and guided by the table below.
- B. New TNCPs shall assign and map transect zones to each pedestrian shed according to the percentages allocated in the table below.

Table 10-30.80.050.A: Transect Zone Allocation

Neighborhood Type	T1	T2	T3	T4	T5	T6
Traditional Neighborhood	No min.	No min.	10 – 30%	30 – 60%	10 – 30%	0% ¹

¹T6 shall only be assigned to downtown Flagstaff.

10-30.80.060 Civic Spaces and Buildings**A. Applicable to T3, T4 and T5 Transect Zones in New TNCPs****1. Civic Space**

- a. Each pedestrian shed shall have at least five percent of its urbanized area allocated as civic space.
- b. Civic spaces shall be designed according to the standards in Section 10-30.60.060 (Open Space, Civic Spaces and Outdoor Public Spaces) and Chapter 10-70 (Specific to Civic Spaces).
- c. Civic spaces shall be distributed throughout the pedestrian shed.
- d. Those portions of the T1 Natural Zone that occur within a development site shall be included in the civic space allocation, and shall conform to the civic space types specified in Chapter 10-70 (Specific to Civic Spaces).
- e. Each pedestrian shed shall contain at least one main civic space. The main civic space shall be within 800 feet of the geographic center of the pedestrian shed, unless topographic conditions, pre-existing thoroughfare alignments or other such circumstances dictate otherwise. A main civic space shall conform to one of the types specified in Chapter 10-70 (Specific to Civic Spaces).
- f. A civic space designed and equipped as a playground shall be provided within 1,000 feet of every residential lot. A playground shall conform to the standards found in Chapter 10-70 (Specific to Civic Spaces).

- g. Each civic space, except community gardens and playgrounds, shall have a minimum of 40 percent of its perimeter fronting a thoroughfare, except for parks forming the edge of a neighborhood community garden or playground.

2. Civic Buildings

- a. A meeting hall or a third place shall be required in proximity to the major civic space of each pedestrian shed. Its corresponding public frontage should be equipped with a shelter and bench for a transit stop.
- b. One civic building should be reserved for a public or private school (K-12) serving the neighborhood. The school site shall be located within any T3, T4 or T5 transect zone.
- c. One civic building suitable for childcare should be reserved within each pedestrian shed.
- d. Civic building types shall be located within or adjacent to a civic space, or at the axial termination of a significant thoroughfare.
- e. Civic buildings shall be subject to the standards of the architectural design standards of the TNCP. The design of civic buildings shall be approved by the Director in accordance with the procedures and standards established in Section 10-20.40.140 (Site Plan Review and Approval).

B. Applicable to Infill TNCPs

1. Civic Space

- a. Infill TNCPs should assign civic space locations based on community needs.
- b. Civic spaces shall be designed according to the standards in Chapter 10-70 (Specific to Civic Spaces).
- c. A civic space designed and equipped as a playground should be provided within 1,000 feet of every residential lot. A playground shall conform to the standards found in Chapter 10-70 (Specific to Civic Space Types).

2. Civic Buildings

- a. A civic building may be approved in any transect zone within a civic space reserved for civic buildings.
- b. Civic buildings shall be subject to the standards of the architectural design standards of the TNCP. The design of civic buildings shall be

approved by the Director in accordance with the procedures and standards established in Section 10-20.40.140 (Site Plan Review and Approval).

10-30.80.070 Density

A. Calculation

1. Net site area is the portion of the site on which development is permitted by this Division. T1 Natural and T2 Rural Transect Zones are excluded from net site area. The net site area shall be allocated to the various transect zones according to the parameters specified in Section 10-30.80.050 (Allocation of Transect Zones).
2. Density is expressed in terms of housing units per acre as specified for each transect zone in Table A (Minimum Density) below. For the purposes of density calculation, the area of each transect zone includes the thoroughfares in the T3, T4 and T5 transect zones, except for streets as defined in the General Plan and thoroughfares in exclusively service or retail areas. Land allocated to civic spaces is also excluded from the site area for density calculations.

B. Minimum Densities by Transect Zone

Table 10-30.80.070.A: Minimum Density						
Use Type	T1	T2	T3	T4	T5	T6
Residential	Not Applicable	1 unit/20 acre average	5 units/acre net	12 units/acre net	20 units/acre net	Not Applicable ¹
Non-Residential	As approved by Council	As approved by Council	10-20%	20-30%	30-50% min.	Not Applicable ¹

¹T6 shall only be assigned to downtown Flagstaff.

10-30.80.080 Affordable Housing

- A. TNCPs shall include provisions for a minimum of 10 percent of all residential units as affordable housing. The mix of unit types and the location of affordable units shall follow the standards established in Division 10-30.20 (Affordable Housing Incentives).
- B. Development within the boundaries of a TNCP that provides affordable housing shall be eligible for a density bonus as established in Section 10-30.20.050 (Density Bonus).

10-30.08.090 Thoroughfares

Thoroughfares shall meet the standards found in City Code Title 11, Chapter 11-20 (Subdivision Design Standards) and Chapter 10-60 (Specific to Thoroughfares).

10-30.80.100 Special Requirements**A. Applicable to All TNCPs**

1. TNCPs, when appropriate, shall indicate on a regulating plan map the location of the following special requirements:
 - a. Mandatory and/or recommended shopfront frontages requiring or advising that a building provide a shopfront at sidewalk level along the entire length of its private frontage. In these areas, the first floor shall be confined to retail use along primary street frontages. See Division 10-50.120 (Specific to Private Frontages) for shopfront frontage standards.
 - b. Mandatory and/or recommended gallery frontages requiring or advising that a building provide a permanent cover over the sidewalk, either cantilevered or supported by columns. The gallery frontage designation shall be combined with a shopfront frontage designation. See Division 10-50.120 (Specific to Private Frontages) for gallery frontage standards.
 - c. Mandatory and/or recommended terminated vista locations requiring or advising that buildings should be provided with architectural articulation of a type and character that responds to the location.
 - d. Mandatory cross block passages with a minimum eight-foot-wide pedestrian access to be reserved between buildings on the first floor.
 - e. National, state or local designation of historic buildings or structures and other heritage resources. Any addition to or modification of a historic building or structure that has been designated as such by the Heritage Preservation Commission or is actually or potentially eligible for inclusion on a state, local or national historic register, including without limitation the architectural harmony (similar materials, window proportions, color range, mass/void ratio, roof type and pitch), shall be subject to approval by the Heritage Preservation Commission.
 - f. Locations for street vendors, such as mobile carts, information kiosks, entertainment and other outdoor temporary uses.

2. In addition, the TNCP may provide standards for street vendors such as mobile carts, information kiosks, entertainment and other outdoor temporary uses.

B. Applicable to Infill TNCPs

Street Grids Hierarchy within T5 Main Street Zone

In order to allow flexibility in infill situations, within a T5 Main Street Zone in an infill TNCP, thoroughfares may be designated as A-Grid and B-Grid thoroughfares on the regulating plan map. These designations allow flexibility in the character of the pedestrian environment while maintaining the intent and purpose of the TNCP.

1. **A-Grid**

Buildings along the A-Grid shall be held to the T5 Main Street Zone standard in support of pedestrian activity.

2. **B-Grid**

Buildings along the B-Grid may allow the T5 Main Street Open Subzone that allows for less stringent building placement requirements and residential uses on the first floor, provided the overall intent and purpose of the TNCP is not weakened. The frontages assigned to the B-Grid shall not exceed 30 percent of the total length of frontages within a pedestrian shed.

10-30.80.110 Pre-Existing Conditions

- A. Existing buildings and structures that do not conform to the provisions of this Division may continue in use subject to the provisions of Division 10-20.60 (Nonconforming Provisions).
- B. The modification of existing buildings consistent with the intent and purpose of the TNCP is encouraged and permitted if such changes result in greater conformance with the transect zone and code.
- C. Where buildings exist on adjacent lots, a proposed building may match one or the other of the adjacent setbacks, rather than the provisions of Chapter 10-40.40 (Transect Zones).
- D. Any addition to or modification of a historic building or structure that has been designated as such by the Heritage Preservation Commission or is actually or potentially eligible for inclusion on a state, local or national historic register shall be subject to approval by the Heritage Preservation Commission.
- E. The restoration or rehabilitation of an existing building or structure, excluding additions, shall not require the provision of:
 1. Parking in addition to that which is existing; and/or,

2. On-site stormwater retention/detention in addition to that existing, except to the extent required by the *Stormwater Regulations*.
- F. Existing parking requirements that exceed the parking requirements established in Division 10-40.40 (Transect Zones) and Division 10-50.80 (Parking Standards) may be reduced to the minimum requirement but shall not be reduced to below the minimum requirement.

10-30.80.120 Submittal Requirements

This Section provides the requirements for the submittal of a TNCP for approval.

- A. The TNCP shall be calibrated to suit specific topographical, environmental, site layout and design constraints unique to the site or its location within the City, yet each TNCP will be consistent in terms of structure and content based on the provisions of this Chapter.
- B. All TNCPs shall comply with Chapter 10-50.20 (Architectural Design Standards) and the general design guidelines established in Appendix 1.1 (Design Guidelines) and shall maintain and support Flagstaff's design traditions and unique mountain architectural vernacular.
- C. The application for TNCP approval shall include the following:
 1. Illustrative plan;
 2. Regulating plan indicating the location of transect zones and special requirements;
 3. Thoroughfare plan, indicating the type and location of thoroughfares;
 4. Tables indicating for each pedestrian shed the following:
 - a. Allocation of transect zones and civic spaces;
 - b. Percentage of non-residential uses; and,
 - c. Densities found within each transect zone;
 5. Architectural standards, including but not limited to:
 - a. Building materials and colors;
 - b. Street screens;
 - c. Details on openings such as doors and windows;
 - d. Roof details; and,

- e. Fence details;
- 6. Environmental and resource mapping of existing and proposed alterations to, but not limited to:
 - a. Floodplains;
 - b. Steep slope areas;
 - c. Single trees or tree clusters that should be preserved;
 - d. Rock outcrops; and/or,
 - e. Significant natural and heritage resources within one-quarter mile of the site; and,
- 7. Special requirements, including, for example:
 - a. Mandatory or recommended retail frontages;
 - b. Mandatory or recommended gallery frontages;
 - c. Designated coordinated frontages;
 - d. Mandatory or recommended terminal vista locations; and/or,
 - e. Designation of historic or heritage resources.
- D. The illustrative plan, regulating plan and other required supporting documents submitted with an application for TNCP approval shall be substantially the same as the product of the charrette previously held for the TNCP development as determined by the Director. If the Director determines that the submitted application is substantially different to the plans developed during the charrette, an additional neighborhood meeting as required in Section 10-20.30.060 (Neighborhood Meeting) shall be required.
- E. In addition to the requirements of this section, the Form-Based Code for a TNCP should promote the achievement of LEED certification (Leadership in Energy and Environmental Design) by the US Green Building Council for all residential and mixed-use buildings. Also, LEED-ND certification (Leadership in Energy and Environmental Design for Neighborhood Development) for the TNCP should be pursued.